Seeing Two Worlds: The Eschatological Anthropology of the Joint Declaration on the Doctrine of Justification

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ABSTRACT

SEEING TWO WORLDS: THE ESCHATOLOGICAL ANTHROPOLOGY OF THE JOINT DECLARATION ON THE DOCTRINE OF JUSTIFICATION

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The Joint Declaration on the Doctrine of Justification, signed in 1999 by the Lutheran World Federation and the Roman Catholic Church, represents the high-water mark of the twentieth-century ecumenical movement. It declared that the sixteenth-century condemnations related to the central question of the Reformation do not apply to the theology of the partner church today. This declaration rests on a differentiated consensus on justification that emerged over forty years of bilateral dialogue. Within this consensus, Lutheran and Roman Catholic theologies of justification, while different and possibly even incompatible, need not be understood as contradictory. This claim has proven to be controversial regarding both the particular consensus on justification and the logical possibility of such a differentiated consensus. Members of both churches have insisted that the division cannot be overcome unless the questions of the sixteenth century are answered in their favor, making use of their cherished theological terminology.

This dissertation reapproaches the question of differentiated consensus using the tools of contemporary cognitive linguistics. It investigates the embodied character of human knowing to demonstrate that conversation between communities of understanding requires attention to their particular structures of language and knowledge. In particular, attention to the "metaphoric blends" that structure meaning can reveal underlying agreement within seeming contradiction.

The anthropological claims of the Joint Declaration, namely the Tridentine insistence that concupiscence in the baptized is not sin properly-speaking, and the Lutheran dictum *simul iustus et peccator,* meaning that the Christian is at the same time justified and a sinner, serve as test cases for the thesis. These seemingly contradictory assertions each seek to describe a double-vision of the Christian as already saved by God's action, but not-yet fully remade. The Roman Catholic claim is shown to depend on the cognitive blend SIN IS JUST CAUSE FOR DISINHERITANCE, interpreted within the cognitive frame provided by THE SACRAMENT OF BAPTISM. The Lutheran position is a development of Luther's contrasting blend SIN IS ANYTHING THAT IS NOT IN ACCORD WITH GOD'S LAW, understood within the framing provided by the distinctively Lutheran space THE LAW AND THE GOSPEL.

ACKNOWLEDGEMENTS

TABLE OF CONTENTS

TABLE OF ABBREVIATIONS

AAC Apology of the Augsburg Confession (1531)

AC Augsburg Confession (1530)

ARCIC Anglican–Roman Catholic International Commission

BC Book of Concord (1580)
(Alternately: *BSLK*)

BSLK *Die Bekenntnisschriften der evangelisch-Lutherischen Kirche*

CAC Confutation of the Augsburg Confession (1530)

CDF Congregation for the Doctrine of the Faith

CIC *Codex iuris canonici* – Code of Canon Law (1917/1983)

CJ Church and Justification (1993)

CKS Church as Koinonia of Salvation: Its Structures and Ministries (2005)

CR *Corpus Reformatorum*

CS *Communio Sanctorum: Die Kirche als Gemeinschaft der Heiligen* (2000)

DH Denzinger/Hünermann, ed. *Enchiridion symbolorum, definitionum et declarationum de rebus fidei et morum,* 43rd ed. (2012)

ELCA Evangelical Lutheran Church in America

ELCF Evangelical Lutheran Church in Finland

EKD Evangelical Church of Germany, Including both Reformed and Lutheran Landeskirchen (alternately: *Evangelische Kirche Deutschlands*)

FC Formula of Concord (1580)

GC The Gospel and the Church [Malta Report] (1972)
(alternately: *Das Evangelium und die Kirche*)

GER-DER Friedrich Hauschild, Udo Hahn, and Andreas Siemens, eds. *Die Gemeinsame Erkärung zur Rechtfertigungslehre: Dokumentation des Entstehungs und Rezeptionsprozesses* (2009).

ICM Idealized Cognitive Model

JDDJ	Joint Declaration on the Doctrine of Justification (1999) (alternately: *Gemeinsame Erklärung zur Rechtfertigungslehre* = GE)
JF	Justification by Faith (1984)
KF	*Konkordienformel* (1580)
LC–MS	Lutheran Church—Missouri Synod
LK	*Lehrverurteilungen—kirchentrennend?* (1985)
LR	*Liber ratisbonensis,* the Regensburg Book (1541)
LWF	Lutheran World Federation (alternately Lutherischer Weltbund)
MC	The Ministry in the Church (1981)
NAB	New American Bible
PCPCU	Pontifical Council for the Promotion of Christian Unity (alternately: *Päpstlichen Rates zur Förderung der Einheit der Christen*)
PL	Migne, *Patrologia Latina*
RB	Rule of St. Benedict (6c.)
UC	All Under One Christ (1980)
UEK	Union Evangelischer Kirchen (in the EKD)
UR	*Unitatis redintegratio* (1964)
VELKD	United Evangelical-Lutheran Churches in Germany (in the EKD) (alternately: *Vereinigte evangelische-Lutherische Kirchen Deutschlands*)

HISTORICAL TABLE OF JDDJ-RELATED DOCUMENTS

Year	Document	By
1972	The Gospel and the Church (Malta Report)	ID
1980	All Under One Christ	ID
1981	The Ministry in the Church	ID
1983	Justification by Faith	USD
1985	*Lehrverurteilungen – kirchentrennend?* (Eng: 1990)	ÖAK
1985	Facing Unity	ID
1992	*Gutachten für den PCPCU zur Studie "Lehrverurteilungen – kirchentrennend?"*	PCPCU
1992	*Überholte Verurteilungen?*	EF-GÖ
1993	*Lehrverurteilungen im Gespräch*	EKD
1993	Church and Justification	ID
1994	*Stellungsnahme der Deutschen Bischofskonferenz zur Studie "Lehrverurteilungen – kirchentrennend?"*	DBK
1998	FAZ: *Kein Konsens in der JDDJ*	EH
1999	*Stellungsnahme theologischer Hochschullehrer zur geplanten Unterzeichnung der JDDJ*	EH
1999	Statement on the Signing of the JDDJ	JAMI
1999	Joint Declaration on the Doctrine of Justification	RCC / LWF
1999	The JDDJ in Confessional Lutheran Perspective	LC-MS
2000	*Communio Sanctorum: Die Kirche als Gemeinschaft der Heiligen*	GÖK
2005	The Church as *Koinonia* of Salvation	USD
2005	Apostolicity of the Church	ID
2006	Official Common Affirmation [of the JDDJ]	RCC/LWF/WMC

2010	Justification in the Life of the Church	SFD
2010	The Hope for Eternal Life	USD
2012	Biblical Foundations of the Doctrine of Justification: An Ecumenical Follow-Up to the JDDJ	LWF, PCPCU WCRC, WMC

Key to Abbreviations for this Table:

DBK:	German Bishops' Conference (Roman Catholic)
EKD:	Protestant Church of Germany
EH:	Protestant Theology Professors (Germany)
EF-GÖ:	Protestant Faculty of Theology, Göttingen
ID:	International Lutheran–Catholic Dialogue; *Formally*:
	– The Joint Lutheran–Roman Catholic Study Commission on "The Gospel and the Church" (1965–1973)
	– Joint Evangelical Lutheran–Roman Catholic Commission (1973–1995)
	– Lutheran–Catholic Commission on Unity (1995–)
JAMI:	Johann Adam Moehler Institute for Ecumenics (Germany)
GÖK:	Common Ecumenical Commission (Germany)
LWF:	Lutheran World Federation
ÖAK:	Ecumenical Working Group of Protestant and Catholic Theologians (Germany)
RCC:	Roman Catholic Church
SFD:	Roman Catholic–Lutheran Dialogue Group for Sweden and Finland
USD:	US Lutheran–Roman Catholic Dialogue
PCPCU:	Pontifical Council for the Promotion of Christian Unity
VELKD:	United German Lutheran Churches of Germany
WCRC:	World Communion of Reformed Churches
WMC:	World Methodist Council

The ÖAK is a formally structured academic institute with Lutheran, Reformed, and Catholic members, but is not dependent on either church, while the GÖK is the official common work of the churches. The ÖAK was founded in 1968, the GÖK in 1980 in order to engage some particular proposals made by Protestants prior to the Pope's visit to Germany.

LIST OF FIGURES

INTRODUCTION: THE PROBLEM OF ECCLESIAL DISUNION

Theological Diversity and Ecclesial Division

The second millennium of Christian history was termed "the era of Christian division" by Pope John Paul II.[1] It is an apt description, as this era saw the formalization of many divisions between those who call themselves Christian. These divisions grew from acrimonious politics, mutual distrust, cultural chauvinism, and real disagreements in theology. As the contemporary participants in ecumenical dialogues attempt to sort out what differences are properly theological, and of those, which require division, they have often found much more commonality than they expected. But real differences remain.

Which theological differences are worthy of the designation "church-dividing" is to a certain extent dependent on context. Churches that have inherited a broken communion seem to require a higher standard of theological unity to re-establish visible unity than would be required to maintain it. When the delegates to the Lutheran World Federation's (LWF) 1963 Assembly in Helsinki were unable to agree on a statement about justification in the modern world, it was a source of frustration, but not a reason for disunion among the LWF churches.[2] Among Catholics, the case of the Society of St. Pius X (SSPX) is illuminative. The leaders of this group were formally excommunicated because of extra-canonical ordinations, not doctrine. Nevertheless, it is continued theological dissent from official teaching that prevents its return to full participation in

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[1] Pope John Paul II, encyclical letter, "Ut unum sint" (May 25, 1995), §1.

[2] For a treatment of the 1963 Assembly, see Jens Holger Schjørring, Prasanna Kumari, and Norman A. Hjelm, eds., *From Federation to Communion: The History of the Lutheran World Federation*, (Minneapolis: Fortress, 1997), 375–381.

the church's common life.[3] Holding positions at the border of orthodoxy, or even beyond

it, need not drive a person or a group from participation in the broader church's life.

Remaining in communion may allow their positions to receive a more open hearing. On

the other hand, once the border is closed, there is significantly less reason to believe that

the dissenting group will be allowed to define its position as falling within the *catholica*.

This is, perhaps, an unintended outcome of the Vincentian canon, which defines orthodox

catholic belief as that which is believed by the church.[4] Once a group is considered to not

be fully within the church, many more of their teachings can be brought into question.

The locations of ecclesial borders were very much at issue in the sixteenth-century

debates. One need only consider the summation of the first part of the Augsburg

Confession (AC) written in 1530, when there was still hope for unity:

> This is nearly a complete summary of the teaching among us. As can be seen,
> there is nothing here that departs from the scriptures or the catholic church,
> insofar as we can tell from its writers. Because this is so, those who claim that our
> people are to be regarded as heretics judge too harshly. The entire dissension
> concerns a few specific abuses, which have crept into the churches without any
> proper authority.[5]

This is quite a different tone than that taken by the Formula of Concord, written in 1580,

well after both schism and polemic had become normative. In describing the section of

the Augsburg Confession quoted above, the irenic tone has been replaced by a combative

voice:

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[3] See Peter Hünermann, "Excommunication–Communication an Essay in Layered Analysis," *Horizons* 36 no.2 (2009), 285–340.

[4] That is, that true Christian doctrine is attested "semper, ubique, et ab omnibus" a principle that Vincent of Lérins' augments with a second describing the growth of Christian doctrine in continuity with what preceded it. Both are found in Vincent's *Duo Commonitoria*, (Migne *PL* 50.0640; 0667–68).

[5] Augsburg Confession, Latin Text, Conclusion of Part I, 1–2. *The Book of Concord,* Robert Kolb and Timothy J. Wengert, eds., (Minneapolis: Fortress Press, 2000). I will cite the Lutheran Confessional documents from this translation, unless otherwise noted. Hereafter, the Augsburg Confession will be cited as AC.

> [T]he opposition regarded this genuine Reformation as a new teaching, as if it were totally contrary to God's word and established Christian practices. They attacked this Reformation vigorously but without foundation and brought charges against it filled with the wildest lies and accusations. This caused the Christian electors, princes, and estates, who had at that time accepted the pure teaching of the holy gospel and had reformed their churches in Christian fashion according to the Word of God, to arrange for the presentation of a Christian confession composed on the basis of God's Word at the great imperial assembly in Augsburg in 1530. They submitted it to Emperor Charles V as their clear and unequivocal Christian confession of what is held and taught in the Christian, Evangelical churches, regarding the most important articles of the faith —particularly regarding those things that had become matters of controversy between them and the pope's adherents. This elicited a churlish reaction from their opponents, but, praise God, this confession has endured to this day, without being refuted or overturned.[6]

By 1580 the situation of the argument had shifted. There was no longer room to argue that both Lutherans and Catholics belonged to the one, holy, catholic, and apostolic church. Instead, the Lutherans could only argue that they were the church against the claim of the Romans. This shift is not unique to the Lutheran, although it is most clear in their writings, in part because the burden of proof remained with them in 1530. The papacy did not feel the need to prove its catholicity then or later. However, even the Confutation of the Augsburg Confession (CAC), a document which has little desire to make room for the reformers' opinions, ends with an agreement that renewal is needed in the churches of the Holy Roman Empire, and a plea for unity in the one faith. While this document also threatens military action should the reformers not accept the Emperor's response, it recognizes that "the Elector, princes, and estates agree on many of the articles with the catholic and Roman Church. Further, these same authorities also condemn and reject the godless teachings that have been spread by pamphlet among the German

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[6] Formula of Concord, Solid Declaration, 2–3, from the Kolb–Wengert translation. Hereafter, FC.

people."[7] They are admonished, therefore, to "come to agreement in these things" which the Confutation rejects in the CA, so as to "prove obedient to the Christian faith and the catholic and Roman Church."[8] These are requests addressed to the fringes of the church, not to those outside it. They are a final plea for unity before a division point is reached.

Justification and the Reformation

Justification can, without overstatement, be called a nexus of the Reformation-era debates. Certainly other issues, particularly liturgical, sacramental, and ecclesiological questions, were strenuously debated and occasioned disagreement contributing to the schism, but these questions were understood, especially from the Lutheran perspective,[9] to be outcomes of the inability to unify the different descriptions of the divine justification of the sinner.[10]

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[7] Confutation of the Augsburg Confession, Epilogue. *Sources and Contexts of The Book of Concord,* Robert Kolb and James A. Nestingen, eds., (Minneapolis: Fortress Press, 2001), 139. Hereafter, CAC.

[8] Ibid.

[9] Before the break became final, the Reformers repeatedly stipulated that many differences of practice, including the papacy, the mass, and monastic vows could be accepted if only agreement on justification could be reached. See, among others, Melanchthon's appendix to the Smalcald Articles, in which he professes that "if [the pope] would allow the gospel," Lutherans would even accept his superiority over the other bishops, albeit "by human right." Smalcald Articles, *Subscriptions*. In Kolb and Wengert, 326. By 1537, when the Smalcald Articles were written, Luther himself believed that the papacy was beyond reformation. Earlier in the decade, however, he had expressed a similar opinion in a letter to Melanchthon dated June 29, 1530: "Just as I have always written, I am prepared to concede all things to them, if only the gospel is allowed its freedom among us. But, I am not able to concede on anything that fights against the gospel." "Ego sicuti semper scripsi, Omnia eis concedere paratus, tantum solo euangelio nobis libere permisso. Quod autem cum euangelio pugnat, concedere non possum." WA *B* 5.407.

[10] Many "fundamental differences" [*Grunddifferenzen*] have been proposed as lying at the root of Catholic-Lutheran division. This question is not central to the present project and must be laid aside. Instead, the particular differences related to describing the state of the baptized Christian will be engaged, as they are described in the Joint Declaration on the Doctrine of Justification. Readers interested in pursuing the question of Grunddifferenzen should see Harding Meyer, "Fundamental Difference—Fundamental Consensus." *Mid-Stream* 25, no. 3 (July 1, 1986), for a clear overview of the topic and the first chapter of Pieter de Witte, *Doctrine, Dynamic, and Difference: To the Heart of the Lutheran-Roman Catholic Differentiated Consensus on Justification,* (New York: T&T Clark, 2012), for a clear-headed engagement with the problem that such proposals pose to an ecumenical theology.

The Joint Declaration on the Doctrine of Justification (1999)

The Joint Declaration on the Doctrine of Justification, signed by the Roman Catholic Church and the Lutheran World Federation in Augsburg, Germany on October 31, 1999, is therefore an unparalleled ecumenical event. It is the only signed bilateral agreement between the Roman Catholic Church and a communion issuing from the Reformation, and it addresses a central issue of the sixteenth-century debate. Its contribution to the cause of church unity cannot be overlooked. It draws on several decades of ecumenical dialogues to agree that the seemingly insuperable condemnations of the sixteenth century can be overcome ecumenically without rejecting the validity of those concerns.

Nevertheless, the Joint Declaration's proclamation of the non-applicability of the sixteenth-century condemnations to the contemporary positions of the dialogue partner rests on a particular differentiated consensus regarding justification, and this has proven to be somewhat controversial. Both Lutherans and Roman Catholics have questioned whether this consensus is adequate to their own traditions of teaching, both have asked whether the partner's positions are fairly represented, and both have asked whether the resulting consensus between them is a true consensus.

Outline of the Project

In this project, I will begin to answer these questions, starting with a chapter on the history of the Joint Declaration and its critics. It will become clear in this chapter that the critiques fall into two different types: those related to the content of the faith as it is

presented in the JDDJ, and those related to the possibility of a differentiated consensus at all. Before answering any questions of content, it will be necessary to ask whether such a thing as a differentiated consensus is possible, and if so, what it would look like.

The second chapter, then, represents a kind of "zooming out," to the bigger question of consensus in ecumenical dialogue. In this chapter, I will attend not only to ecumenical considerations of what constitutes a consensus, but to the particular questions related to differentiated consensus —that is, a consensus in which the parties arrive at common statements that are then differentially applied within the habitual language of each. While the Joint Declaration does not use the language of "differentiated consensus," its very structure demonstrates that such a consensus is present in it, for each subsection begins with a common paragraph that is then followed by a Lutheran and a Roman Catholic explanation.[11]

In this chapter, it will become clear that while differentiated consensuses have been recognized by many of those who have participated in the dialogues, there is still no adequate explanation as to why they might be possible. George Lindbeck's famous *The Nature of Doctrine,* for example, begins to show *that* theological language works in this way, without providing an explanation as to *why*. The third chapter therefore represents another level of "zooming out," this time to the question of human language and cognition. It considers the insights of contemporary cognitive linguists regarding language structure, especially the role metaphors play in making linguistic meaning

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[11] Harding Meyer defines differentiated consensus in much this manner. Such a consensus will contain "a statement, which states in fundamental and essential content the agreement attained on a doctrine that until now was disputed, and a statement which says, how and why the remaining doctrinal differences can be evaluated as admissible and do not call into question the agreement in its fundamental and essential aspects." Harding Meyer, "Die Struktur ökumenischer Konsense," 60–74 in *Versöhnte Verscheidenheit: Aufsätze zur ökumenischen Theologie I,* (Frankfurt/M: Lembeck, 1998), 74.

possible for humans. The reason that a differentiated consensus might be possible, and in fact, necessary to mediate between different traditions of discourse, will become clear. I am especially indebted to the work of Robert Masson in relating these insights to theology. Here I develop his work by applying it explicitly to understanding what happens when two Christian traditions of theological discourse seek to agree on questions of historical division.

The last two chapters are the application of the theory developed in the first three. I have chosen to investigate one theological locus in the JDDJ by means of this method, that is, the anthropology of the baptized Christian. It makes a felicitous test case for several reasons. First, it represents an area of the Joint Declaration's text that has received considerable examination and challenge. The Congregation for the Doctrine of the Faith (CDF) and the Pontifical Council for the Promotion of Christian Unity (PCPCU) pointed to this question as the first area requiring more investigation in their initial public engagement with the JDDJ.[12] Specifically, they wondered how Catholics might be able to understand the Lutheran description of the Christian as *simul iustus et peccator* [at the same time just and a sinner] given their own theological commitments. On the other side, Lutherans have objected to the approval that the JDDJ gives to the Council of Trent's canon stating that concupiscence in the baptized is not properly-speaking sin.[13] This points to another useful characteristic of the choice of test-case: there are important

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[12] Congregation for the Doctrine of the Faith and the Pontifical Council for the Promotion of Christian Unity, "Response of the Catholic Church to the Joint Declaration of the Catholic Church and the Lutheran World Federation on the Doctrine of Justification," *Information Service* 98 (1998), 93–95. In German: Friedrich Hauschild, Udo Hahn, and Andreas Siemens, eds., *Die Gemeinsame Erkärung zur Rechtfertigungslehre: Dokumentation des Entstehungs und Rezeptionsprozesses,* (Göttingen: Vandenhoeck & Ruprecht, 2009), C.55.

[13] See Wilfried Härle, "Lutherische Formeln – tridentinisch interpretiert," *epd-Dokumentation* no. 43/99(1999):5. Available at http://goo.gl/a1xlEX. Accessed September 19, 2014.

sixteenth-century loci on both sides of the debate. This means not only that there is the data of the contemporary dialogues, and of the process of evolution of the JDDJ and its contemporary dissenters, but there is sufficient data available in the documents of the Reformation era. This breadth of consideration allows us to consider how the JDDJ's proposed solution solves the problem both as it is understood now and as it was examined then.

Chapter four approaches the question from Roman Catholic theology, specifically from a consideration of concupiscence in the baptized. I will argue that Trent's insistence that this reality is not sin stems from a particular understanding of sin and from a desire to protect the efficacy of the sacrament of baptism. Trent recognizes that concupiscence remains, and is no indifferent reality, even if it is not sin, "properly-speaking." This sets up a double-vision of the Christian as someone who is saved by incorporation into Christ by the Holy Spirit, but has not yet reached the fullness of that incorporation and still struggles with the tinder of sin. He thus already participates in what he is to become, but is not yet fully made into the form of his final justice by God's action.

This chapter will examine the theological development from the bull *Exsurge Domine* (June 15, 1520) to the Tridentine declaration on original sin (June 17, 1546) and will describe the Roman Catholic understanding of concupiscence in the baptized in terms of the Roman Catholic definition of "sin" and its framing by the sacrament of baptism. It will then show how this vision, as present in the JDDJ, demonstrates a real consensus with the Lutheran position and yet is able to accept the habitual language of both groups.

Chapter five will then turn to the Lutherans and follow much the same procedure. Here the question is posed by the Lutheran aphorism *simul iustus et peccator*. This first arises in Luther's *Lectures on Romans* (1515/16), is developed in his *Against Latomus* (1521)*,* and receives its classical framing in terms of law and gospel in the *Lectures on Galatians* (1531). The concept receives some attention in the Confessions of the Lutheran Churches, and quite a bit in twentieth-century Lutheran theology. Two developing traditions of interpretation will be examined, that of twentieth-century German theology, and that of the recent Finnish Luther School.

As in the Catholic chapter, I will examine how the concept of sin is metaphorically structured in Luther's writing and contemporary Lutheran thought. It will then relate that to Luther's distinctive framing in terms of law and gospel, and show how a unique eschatological vision of the Christian develops. After doing this, I will be able to demonstrate how these traditions are made present in the JDDJ and demonstrate real consensus with the Roman Catholic positions.

In the contemporary world, Christians have had little choice but to come to terms with one another. Thrown together by history, by new patterns of migration, and by the effects of technology, we have come to see that those from whom we are separated not only proclaim Christ's gospel in different, although recognizable ways, but that they share many of the same liturgical inheritances from our common ancestors. The recognition that any division in the church is not only scandalous, but also sinful, gives further impetus to the project of church unity. But Christian unity will always be a unity in the truth. A new challenge stands before the churches: to learn to see Christ in the separated brethren and to understand their proclamation well enough to affirm what is

true, to challenge what needs correction, and to accept what differences we are able to. This requires an account of difference and consensus in ecumenical dialogue that can account for both our common witness to the gospel and our continued diversity of theological language.

CHAPTER ONE:
JUSTIFICATION AND ANTHROPOLOGY IN THE JDDJ

Chapter Introduction

Lutherans and Catholics likely constitute the pair of separated churches best suited to the project of reconciliation through dialogue. They are historically separated by clearly defined theological disputes. These disputes have been extensively explored by many theologians spread across both centuries and cultures. Both churches have official structures that can speak authoritatively for the tradition. They have inhabited many of the same geographical spaces and therefore experience ongoing pressure for institutional reconciliation because of intermarriage, ecumenical friendship, and other kinds of personal relationships. All of this has contributed to a fruitful Lutheran–Catholic dialogue in the years since the Second Vatican Council on both the international level and in several national dialogues. The Joint Declaration on the Doctrine of Justification (JDDJ) represents the high-point of these dialogues' work. It harvests the fruits of many years of engagement into the first, and thus far only, bilateral statement to be officially received and signed by representatives of the Roman Catholic Church and a community issuing from the Reformation.[1]

Despite this success, the Joint Declaration has not been received without controversy. Each version, including the final form, received its share of critique from both churches and their theologians. Within these critiques, one can discern two types of response, the first having to do with method, the second with particular aspects of its

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[1] Lutheran World Federation and Roman Catholic Church, *Joint Declaration on the Doctrine of Justification*, (Grand Rapids: Eerdmans, 2000).

content. The central claim of the Declaration is that the dialogue of the last forty years

has shown Lutheran and Roman Catholic descriptions of justification to be open to each

other in such a way that each church can affirm that the condemnations of the sixteenth

century do not apply to the other church's teaching. This claim depends on a particular

methodology growing out of the experience of dialogue since the Second Vatican

Council. Called "differentiated" or "differentiating consensus," it attempts to convey the

insight of recognizing in the other church's position a different, but nonetheless

recognizably Christian confession.[2] If unity in difference is not accepted as a possibility,

no dialogue's proposed consensus can be received. Theologians will continue to merely

repeat the same confessional party lines that have characterized polemical theology since

the sixteenth century. On the other hand, should the possibility be entertained that two

different confessions might share the one gospel of Jesus Christ, expressed in different

systems of thought, using different terminology, making different assumptions, and

emphasizing different commitments, the ecumenical goal of reconciliation is possible.

This chapter will provide an introduction to the JDDJ, including its sources in the

twentieth century Lutheran–Roman Catholic dialogue, its process of coming into being,

and the major theological critiques that it has received. I will then describe one disputed

aspect of agreement in the Joint Declaration, which will later serve as a test case for the

claim that the JDDJ describes a real consensus. That test case is the anthropology of the

baptized Christian, which has occasioned much disagreement in Christian history. There

are several reasons for attending to this question. First, both Lutherans and Catholics

make traditional theological claims about justification that impinge on anthropology,

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[2] There has been some dispute in recent theological work on the topic about whether this methodology is more properly termed "differentiated consensus" or "differentiating consensus." Because the former is used more prevalently in the sources leading up to the JDDJ, I will use it exclusively.

each of which has traditionally been rejected by the other. These claims are the Lutheran axiom *simul iustus et peccator* and the Tridentine insistence that post-baptismal concupiscence cannot properly be called sin. Second, these claims have both remained controversial throughout the process of writing and receiving the JDDJ. Third, the two claims are related to each other. I will argue that both of these traditional theological commitments are managing the same eschatological tension in Christian life: while justification is proclaimed to be already present and real, the Christian nevertheless experiences herself as still being tempted to sin and all-too-often succumbing to that temptation. This double reality is the effect of the eschatological structure of Christian life; we are baptized into the already-completed victory of Christ, but not yet living entirely in the final victory of the kingdom. The well-documented difference and theological parallelism that exists between Lutheran and Catholic descriptions of this central Christian tension provides a clear case for evaluating the JDDJ's claim to describe a real unity in difference regarding justification.

The Joint Declaration and its Reception

A Brief History of the Joint Declaration

The Predecessor Documents to the JDDJ

While the JDDJ itself is a short document, and the official signed statement is yet shorter, they both build upon several decades of official ecumenical dialogue and independent research. The Lutheran–Catholic dialogue was formed shortly after the closing of the Second Vatican Council. It issued its first report in 1972, entitled "The

Gospel and the Church," (GC) often referred to as "the Malta Report" because of the location of its final editing.[3] Like the statements of most ecumenical dialogues, this document is "offered to the churches with a recommendation for thorough study" and "has no binding character for the churches."[4]

The Malta Report treats the question of justification within a consideration of "The Gospel and Tradition." Its context is the historical dispute between Catholics and Lutherans about "the center of the Gospel." It is able to say that while in disputes over justification "the traditional polemical disagreements were especially sharply defined.… a far-reaching consensus is developing in the interpretation of" this doctrine.[5] It credits contemporary agreement to a renewed scriptural interpretation among both Lutherans and Catholics, and asks several questions:

> although a far-reaching agreement in the understanding of the doctrine of justification appears possible, other questions arise here. What is the theological importance of this doctrine? Do both sides similarly evaluate its implications for the life and teaching of the church?[6]

This is a very interesting statement. Already in 1972, after one round of dialogue talks, Lutheran and Catholic representatives were suggesting that agreement on justification was possible (although not yet achieved) and looking ahead to the theological and ecclesiological implications of a potential agreement.

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[3] Joint Lutheran–Roman Catholic Study Commission, "Report on 'The Gospel and the Church' (Malta Report), 1972," in *Growth in Agreement I: Reports and Agreed Statements of Ecumenical Conversations on a World Level*, ed. Harding Meyer and Lukas Vischer, (Geneva: World Conference of Churches, 1984), 167–89. Hereafter, GC. There is a second document of the ecumenical dialogue also called "the Malta Report." This earlier document is a product of the Anglican-Roman Catholic Preparatory Commission, and was published in 1966. I will not be treating the Anglican-Roman Catholic dialogue, so any references to the "Malta Report" are to GC.

[4] GC, Preface, 168.

[5] GC §26.

[6] GC §28

The issue of justification does not arise in the next document of the Joint Commission, "The Eucharist," (1978)[7] but is once again discussed in the following document "All Under One Christ" (1980) (UC), which reexamines the Augsburg Confession.[8] Drawing on a recent joint study by Lutheran and Catholic theologians,[9] this document is able to describe the Augustana as "in a large measure" fulfilling its goal of bearing "witness to the faith of the one, holy, catholic, and apostolic church," and it can therefore "be regarded as an expression of the common faith."[10] Referring to AC IV, the document was able to say that "a broad consensus emerges in the doctrine of justification," about which both Roman Catholics and Lutherans can say, "it is solely by grace and by faith in Christ's saving work and not because of any merit in us that we are accepted by God and receive the Holy Spirit who renews our hearts and equips us for and calls us to good works."[11]

In 1981, the international dialogue published a document on the ordained ministry, "The Ministry in the Church" (MC), which once again quoted the Malta Report as to both the historical division regarding justification and the contemporary

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[7] Lutheran-Roman Catholic Joint Commission, "The Eucharist, 1978," in *Growth in Agreement I*, 190–213. Justification is mentioned only once, in the context of Christ's salvific work and its effects in the reception of the eucharist.

[8] Lutheran-Roman Catholic Joint Commission, "All Under One Christ," In *Growth in Agreement I,* 241–247. Hereafter, UC. The commission also published a document on community at the same time as UC, which does not deal with the question of justification in a substantive manner.

[9] Harding Meyer and Heinz Schütte eds., with Edwin Iserloh, Walter Kasper, Georg Kretschmar, Wenzel Lohff, G. W. Forell, and James. McCue, *Confessio Augustana—Bekenntnis des einen Glaubens*. (Paderborn: Bonifacius Druckerei, 1980).

[10] UC §§10–11. At this time there was some discussion of an official Roman Catholic acceptance of the CA. While it did not come to fruition, several important theologians of both confessions argued that it was a possibility. For a history of this movement see Richard Penaskovic, "Roman Catholic Recognition of the Augsburg Confession," *Theological Studies* 41, no. 2 (1980): 303-321.

[11] UC §14.

convergence.[12] The church is described as the recipient of salvation and the channel for that salvation to reach the world.[13] The ministry is held up as a necessity for the church, and therefore for the church's work of salvation.[14] The international dialogue's preoccupation with the question of ministry reflects both the early Lutheran double criterion for unity in AC VII,[15] and a developing interpretation of the Second Vatican Council's Decree on Ecumenism, *Unitatis redintegratio* (UR). The Decree uses the language of the "churches and ecclesial communities of the west" to describe the communities of the Reformation. After the council, a growing body of interpretation arose reading the two terms as mutually exclusive ecclesiological categories requiring a clear principle of differentiation.[16] The division was usually made by inquiring as to the presence or absence of a valid eucharist and a valid sacrament of order. This interpretation later received substantial weight with the promulgation of two documents of the Congregation for the Doctrine of the Faith (CDF), *Communionis notio* (1992) and *Dominus Iesus* (2000).[17]

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[12] Roman Catholic-Lutheran Joint Commission, "The Ministry in the Church," In *Growth in Agreement I*, 248–275, §9.

[13] MC §12.

[14] Ibid. §29.

[15] CA 7, Latin text: "Et ad veram unitatem ecclesiae satis est consentire de doctrina evangelii et administratione sacramentorum." German text: "Denn dieses ist genug zu wahrer Einigkeit der christlichen Kirche, dass da eintraechtiglich nach reinem Verstand das Evangelium gepredigt und die Sakramente dem goettlichen Wort gemaess gereicht werden."

[16] Second Vatican Council, "Decree on Ecumenism, *Unitatis redintegratio*" (November 21, 1964), §22, in Norman P. Tanner *Decrees of the Ecumenical Councils* (Washington: Georgetown University Press, 1990), II:919. Hereafter, UR.

[17] Congregation for the Doctrine of the Faith, "Letter on Some Aspects of the Church Understood as Communion, *Communionis notio*" (May 28, 1992), §17–18 in AAS 85 (1983): 848–49; and "Declaration on the Unicity and Salvific Universality of Jesus Christ and the Church, *Dominus Iesus*" (August 6, 2000), §17, in AAS 92 (2000): 758–59. For a dissenting interpretation of the Council's intent, see Otto Hermann Pesch, *The Ecumenical Potential of the Second Vatican Council,* (Milwaukee: Marquette University Press, 2006), 44–47. Also helpful in interpreting this history is Catherine E. Clifford, "*Elementa Ecclesia*: A Basis for Vatican II's Recognition of the Ecclesial Character of Non-Catholic Christian Communities," in *La*

Two regional projects were also in preparation at this point that would prove

important in the history of the JDDJ. The US dialogue was preparing its document

Justification by Faith (JF), published in 1983,[18] and the German Ecumenical Working

Group (ÖAK) was working towards its seminal 1985 document, *Lehrverurteilungen —*

kirchentrennend? (LK).[19] These two documents form the theological foundation of the

JDDJ: JF provides a common theological statement regarding justification overall; LK

examines whether one can say in good faith that the confessional statements and

anathemas directed against the other's position in the sixteenth century do not apply to

the contemporary dialogue partner's positions. While JF was quietly received,[20] LK

inspired a widespread and quite varied reaction.[21] Lengthy written responses were

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théologie catholique entre intransigeance et renouveau: La réception des mouvements préconciliaires à Vatican II, ed. Gilles Routhier, Philippe J. Roy and Karin Schelkens, (Leuven: Revue d'Histoire ecclesiastique, 2011), 249–69.

[18] H. George Anderson, T. Austin Murphy, and Joseph A. Burgess, eds., *Justification by Faith: Lutherans and Catholics in Dialogue VII*. (Minneapolis: Augsburg, 1985).

[19] Karl Lehmann and Wolfhart Pannenberg, eds., *Lehrverurteilungen — kirchentrennend?* 4 vols., (Freiburg im Breisgau: Herder, 1986).

[20] JF was received officially by the ELCA Council in 1991 (John A. Radano, *Lutheran and Catholic Reconciliation on Justification: A Chronology of the Holy See's Contributions, 1961–1999, to a New Relationship between Lutherans and Catholics and to Steps Leading to the* Joint Declaration on the Doctrine of Justification, (Grand Rapids: Eerdmans, 2009), 130). While there does not seem to be a parallel Roman Catholic reception of the document, it was listed as a resource for the JDDJ commission by the PCPCU Secretary in the letter of invitation to the Roman Catholic drafters (Radano, 138, n. 18).

[21] A structural aspect of the German churches and their relationship to the LWF complicates any description of the development of the JDDJ. LK was produced by the Common Ecumenical Working Group, and its findings received by the Protestant Church of Germany [EKD], which includes Lutheran, United Protestant, and Reformed Protestant Churches. The EKD is formally sub-divided between two confessions, the United Lutheran Church in Germany [VELKD] and the Union of Evangelical Churches [UEK], which serves both United and Reformed Churches. Because the LWF is the Protestant party to the JDDJ, it broadens the LK's findings of non-condemnation to a wider geographical and demographic base. Within Germany, however, it excludes the 40% of EKD membership which are not members of the LWF. This division adds another layer of complexity to the responses to JDDJ from German protestant professors of theology in 1998–1999. These differences will resurface in the critiques of the JDDJ, particularly in the critiques of German *Landeskirchen* with both Lutheran and Calvinist influences. So, for example, the "Beschluss der Landessynode Lippische Landeskirche," which, in critiquing the JDDJ for not giving enough centrality to the doctrine of justification, cites the third book of Calvin's *Institutes* for support. C.43 in *Die Gemeinsame Erklärung zur Rechtfertigungslehre:Dokumentation des Entstehungs und Rezeptionsprozesses,* ed. Friedrich Hauschild, Udo Hahn, and Andreas Siemens (Göttingen: Vandenhoeck & Ruprecht, 2009), §4.

produced by the PCPCU,[22] the Evangelical Faculty of the University of Göttingen,[23] the

Protestant Church of Germany,[24] and the German Conference of Catholic Bishops.[25]

Regarding justification, these public statements are favorable, with the notable exception

of that of the Faculty of Göttingen. Several of these responses, however, including that of

the PCPCU, suggest that LK falls short in its other areas of engagement.[26]

In 1993, the international dialogue published a document entitled *Church and*

Justification (CJ), which continued to develop their trajectory of engagements with the

question of justification in tandem with questions of ecclesiology.[27] Starting from the

claim that justification is "*articulus stantis vel cadentis ecclesiae*" (the article by which

the church stands or falls), CJ points out that church and justification are necessarily

related, because it is the *church* that stands or falls.[28] It draws out the double emphasis of

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This book collects a nearly complete documentary history of the JDDJ from June of 1993 to July of 2006. Although many of these documents are publically available in other forms, I will be citing many texts from this volume. I will also note their original publication data when it is available. Documents in this book will hereafter be referenced by their document number, thus, GER-DER, C.43,§4.

[22] PCPCU, "Evaluation for the Pontifical Council for Promoting Christian Unity of the Study Lehrverurteilungen — kirchentrennend?," (Study Document, Centro Pro Unione Library, 1992).

[23] Dietz Lange, *Überholte Verurteilungen?: die Gegensätze in der Lehre von Rechtfertigung, Abendmahl und Amt zwischen dem Konzil von Trient und der Reformation, damals und heute*, (Göttingen: Vandenhoeck & Ruprecht, 1991).Of the responses, this is by far the most negative. It's particular critiques regarding justification will be revisited later.

[24] Arnoldshainer Konferenz, Vereinigte Evangelisch-Lutherische Kirche Deutschlands, and Lutheran World Federation, *Lehrverurteilungen im Gespräch: die ersten offiziellen Stellungnahmen aus den evangelischen Kirchen in Deutschland*, (Göttingen: Vandenhoeck & Ruprecht, 1993).

[25] Deutschen Bischofskonferenz, *Stellungsnahme der Deutschen Bischofskonferenz zur Studie "Lehrverurteilungen – Kirchentrennend?,"* (Bonn: Sekretariat der Deutschen Bischofskonferenz, 1994). Also available on the German Bishops' Conference website, http://www.dbk-shop.de/media/files_public/ qwltcierep/DBK_1152.pdf. accessed January 26, 2014.

[26] Pierre Duprey, "The Condemnations of the 16th Century on Justification – Do they Still Apply Today," in *The Condemnations of the 16th Century on Justification – Do They Still Apply Today: Occasional Papers Contributing to 1997 Decisions,* (Chicago, Department of Ecumenical Affairs, ELCA, 1995), §5.

[27] GC §28; UC §§15–16;

[28] Joint Evangelical Lutheran–Roman Catholic Commission, "Church and Justification, 1993" 485-565 in *Growth in Agreement II: Reports and Agreed Statements of Ecumenical Conversations on a*

church and justification as recurring themes in both the dialogue itself, and in the joint memorandum that gave it its task.[29] Justification and the church, moreover, are "indissolubly linked with the triune God and founded in him alone."[30] This emphasis on the absolute priority of God's work in justification remains a central theme throughout the dialogues. Justification necessarily results in the church because God's "universal saving will" produces the church, which, founded in Jesus Christ, must be one, holy, and forever receive its life from the work of the Trinity.[31]

In the later sections of the document that deal with areas of difference, the relationship of church to justification is once more explicitly engaged. The central question is

> summarized as follows: Catholics ask whether the Lutheran understanding of justification does not diminish the reality of the church; Lutherans ask whether the Catholic understanding of church does not obscure the gospel as the doctrine of justification explicates it.[32]

CJ follows through four major topics to respond to these questions. These are institutional continuity, the institution of an ordained ministry, the teaching office, and ministerial jurisdiction.[33] While these particular questions are not germane to the topic at hand, the document's task is. It asks whether the understanding of justification and of the church shown by each side is sufficient to the gospel in each question. Moreover, the document displays the developing use of an explicit differentiated consensus, starting each section

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World Level 1982-1998, edited by Jeffrey Gros, Harding Meyer, and William G. Rusch (Faith and Order Papers, 187, Grand Rapids: Eerdmans, 2000), 487.

[29] Ibid., Forward.

[30] Ibid., §6.

[31] Ibid., §§9–12.

[32] Ibid., §166.

[33] Ibid., §173.

with a common statement, followed by explanations of the Lutheran and Catholic

positions that show their compatibility with the common statement despite the historic

division.

Writing the Joint Declaration

Meanwhile, there was a growing push to consolidate the findings of the various

dialogues into one document that could be officially received by the churches. The newly

founded and ecumenically-minded Evangelical Lutheran Church in America (ELCA)

gave further momentum to this project when, after officially affirming *Justification by*

Faith in 1991, it began looking for a way to officially receive the findings of LK.[34]

In 1993, an American Lutheran–Roman Catholic Coordinating Committee was

appointed to work towards a common declaration of the inapplicability of condemnations

regarding justification. The committee was chaired by the Most Rev. Rembert Weakland,

OSB, archbishop of Milwaukee and chairman of the bishops' committee on ecumenism,

and the Rev. Herbert Chilstrom, Presiding Bishop of the ELCA. At their first meeting the

committee "called for the establishment of a process that would lead to a declaration that

some of the Reformation-era condemnations are not applicable today."[35] 1997 was

proposed as a felicitous target date, as it would be both the year of an LWF convention

and the 450th anniversary of the fifth session of the Council of Trent, which had

pronounced the Catholic anathemas regarding justification.

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[34] Radano, 132.

[35] United States Catholic Conference, News Release, ""Official Lutheran-Roman Catholic Dialogue of 27 Years to Continue," February 25, 1993. Available at: http://www.usccb.org/beliefs-and-teachings/ecumenical-and-interreligious/ecumenical/lutheran/upload/lu21.pdf, accessed Oct. 4, 2014.

The US process was superseded by an action of the LWF council in June of 1993, which made the proposed statement a matter of the entire body.[36] The LWF approached the PCPCU, which proved agreeable. A task force was appointed consisting of members of both churches who had worked on the major dialogues concerning justification.[37] The task force drafted the first version of the JDDJ in early March of 1994 and a second draft in September of that year, responding to feedback received from various experts.[38] Both the LWF and the PCPCU sought feedback on this second draft during 1995.[39]

Here the structural differences between the churches become important: the Lutheran study process consisted of sending the document to the 142 member churches for review, while the Catholic process "involved study of the draft in Rome, by a joint subcommission of the Congregation for the Doctrine of the Faith and the Pontifical Council for the Promotion of Christian Unity," and consultation with episcopal conferences.[40] An expanded joint committee produced a third version of the text in June of 1996, and a fourth in January of 1997. This fourth version was submitted to both churches as a final version for study and potential approval.[41]

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[36]Council of the LWF, "Minutes of June 20-30, 1993," GER-DER, A.1. See also Michael Root and William Rusch, "Can the Sixteenth Century Condemnations on Justification be Declared Nonapplicable?: An Introduction," in *Justification by Faith: Do the Sixteenth-Century Condemnations Still Apply?*, (New York: Continuum, 1997), 14.

[37] Radano, 137.

[38] Radano, 138. The more-developed first version is "Gemeinsame Erklärung des Lutherischen Weltbundes und der römisch-katholischen Kirche zur Rechtfertigungslehre (GE I)," GER-DER, A.3. In Engish "Confidential Draft on Joint Declaration on the Doctrine of Justification of the Lutheran Churches and the Roman Catholic Church." September 21, 1994. ELCA Archives, Elk Grove, IL. (JDDJ I)

[39] Sven Oppegaard, "A History of the Joint Declaration," *Lutheran World Information* (October 23, 1999). Available online, accessed November 19, 2013, http://193.73.242.125/News/LWI/EN/693.EN.html.

[40] Radano, 139.

[41] Ibid.

The release of the Joint Declaration began a lively debate, particularly in

Germany, where a group of 141 Protestant professors of theology published an opinion in

the *Frankfurter Allgemeine Zeitung* against the proposed text.[42] The professors claimed

that the JDDJ does not reach consensus because the text fails to do justice to the

Protestant position, particularly the "decisive insight that belief is assurance of salvation,"

along with the question of sin in the justified, the meaning of works after justification, the

relationship of law and gospel, and the status of the doctrine of justification among

church teachings.[43] Other complaints include the lack of Old Testament texts in the

JDDJ, and the lack of any immediate ecumenical impact, such as the recognition by the

Catholic Church of the Lutheran churches as churches properly-speaking. On the other

hand, the professors worried that the JDDJ was a step towards the subsumption of all

evangelical office holders into the Roman hierarchy. With the exception of this final

concern, this document sets the trajectory for Lutheran critiques of the JDDJ from this

point forward.

Official responses from the churches were more positive, but not entirely

affirming. The LWF council, on June 16, 1998, adopted a recommendation that described

the process of approval in the churches and affirmed the text of the JDDJ "on the basis of

the positive responses of the said majority."[44] This majority breaks down as follows: of

the then 124 member churches, 89 (representing 95% of world membership) had

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[42] Protestant Professors of Theology, " Kein Konsens in der Gemeinsamen Erklärung," *Frankfurter Allgemeine Zeitung* (January 29, 1998), Politik 4. GER-DER, 27.B. Recall that the German Protestant church includes both Lutherans and Reformed (see n. 22 above). Various theological faculties may lean in one direction or the other, but "Protestant professors of theology" is an inclusive term broader than the Lutherans who would be party to the JDDJ.

[43] Ibid. "die entscheidende Einsicht, daß Glauben Heilsgewißheit ist."

[44] "Response of the Lutheran World Federation," LWI (June 24, 1998). GER-DER, C.54.

responded. Of these, 80 had responded "yes;" 5, "no," with four answers remaining

difficult to categorize.[45] The LWF emphasized that its affirmation of the Joint

Declaration was a common action of the member churches (through their responses) and

of the LWF itself (on the basis of the consensus that the Council judged to be present).[46]

The Roman Catholic response was presented by Cardinal Cassidy slightly more

than a week later. It took the form of a Note, issued jointly by the PCPCU and the CDF,

and was less laudatory than the Lutheran response, although it affirmed that there is a

"consensus in basic truths of the doctrine of justification" demonstrating "a high degree

of agreement."[47] In a section entitled, "Clarifications," the document enumerates four

areas requiring further discussion: first, the idea of the Justified as Sinner (§4.4 of the

JDDJ), is held up as difficult to accept within a Catholic framework. Second, the

document notes the differences in the relative importance of the doctrine among

traditional Roman and Lutheran theologies. Third, it asks for a clarification on how

humans cooperate in their own salvation and what this entails. Fourth, it suggests that the

sacrament of penance requires further treatment. It closes on a procedural note, reflecting

on the different structures of the Roman Catholic Church and the LWF. Specifically, it

sees a remaining "question of the real authority of such a synodal consensus, today and

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[45] "LWF on Joint Declaration – A. Background 3&4 – Responses," LWI (June 24, 1998), 3a-c.

[46] "Response," §e. The paragraph picks up its language from a study of the Strasbourg Ecumenical Institute, presented to the LWF Council before its vote. This was reprinted in Karin Achtelstetter and Dorothea Millwood, eds. *Our Continuing Journey: Documentation from the 1998 Meeting of the Council of the Lutheran World Federation*, (LWF Documentation 43, Geneva: Lutheran World Federation, 1998), 147.

[47] Congregation for the Doctrine of the Faith and the Pontifical Council for the Promotion of Christian Unity, "Response of the Catholic Church to the Joint Declaration of the Catholic Church and the Lutheran World Federation on the Doctrine of Justification," *Information Service* 98 (1998), 93–95. GER-DER, C.55

also tomorrow, in the life and doctrine of the Lutheran community."[48] The note closes

with hopes that these issues might be worked out and that the process will continue to

fruition.

This Note was met with some surprise and disappointment from Lutheran

officials. It began a new phase of discussions, in both public and private forums about

ways forward.[49] While Catholic officials consistently emphasized that the positive

"Declaration" section of the Note bore the greater weight in the document, the presence

of the "Clarifications" made it clear that further work was needed to demonstrate that

Lutherans and Catholics were affirming the same document in the same way.[50] In

November of 1998, the beginnings of the statement that would become the "Annex" was

drafted by Bishop Johannes Hanselmann, Joseph Cardinal Ratzinger, Joachim Track, and

Heinz Schutte.[51] At this time, another public statement authored by Protestant university

professors was published in German, this time with 243 signatories; this statement names

the Joint Declaration a failure.[52]

The Annex text was, however, finalized, and Cardinal Cassidy and Dr. Noko

announced on June 11, 1999 that the JDDJ would be signed by both churches the

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[48] Ibid., §6.

[49] Public considerations included the letter from the LWF General Secretary to the member churches, C. 69 in GER-DER, and that of the German Episcopal Conference, C.70. Private channels included the conversations between Bishop Hanselmann and Cardinal Ratzinger that lead to the Annex and the final signature of the JDDJ.

[50] See Radano, 156–158 for a thorough description of this period and the responses of Roman Catholic leaders.

[51] Radano, 162.

[52] "Stellungsnahme theologischer Hochschullehrer zur geplanten Unterzeichnung der Gemeinsamen Offiziellen Feststellung zur Rechtfertigungslehre," *Frankfurter Allgemeine Zeitung* (September 25, 1999), 67. GER-DER, D.7.a.

following October, in light of the clarifications reached in the Annex.[53] The churches

would sign an "Official Common Statement" that "confirm[s] the Joint Declaration on

the Doctrine of Justification in its entirety."[54] The Common Statement also points to the

"Annex" as a clarification that "substantiates the consensus reached" in the JDDJ.[55]

Cardinal Cassidy made clear in his public statement that the Official Common Statement

and the Annex had "been approved by the Pontifical Council for Promoting Christian

Unity and by the Congregation for the Doctrine of the Faith" and that Pope John Paul II

had "given his blessing for the signing of the Joint Declaration on the Doctrine of

Justification, together with the Official Common Statement with its attached Annex."[56]

Major Doctrinal Critiques

While the JDDJ was hailed as an ecumenical breakthrough in many quarters, it

has also received significant, ongoing critique from both Lutheran and Catholic authors.

In particular, the project of declaring the sixteenth-century condemnations to not apply to

the contemporary dialogue partner had received criticism from its beginnings. While the

developing Declaration sought to respond to the criticisms levied against the predecessor

documents, the official responses to the final JDDJ text themselves demonstrate some

uneasiness on the part of church officials with the solutions it proposed. The Annex

allowed the relevant officials of both churches to affirm both that the JDDJ provided a

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[53] "Signing of 'Joint Declaration' Significant for Ecumenical Movement," LWI (June 14, 1999).

[54] "Official Common Statement" in JDDJ, 41–42, GER-DER, D.1. Also available in Hünermann, Peter, Helmut Hoping, Robert L. Fastiggi, Anne Englund Nash, and Heinrich Denzinger. *Compendium of Creeds, Definitions, and Declarations on Matters of Faith and Morals*, 43rd ed. (San Francisco: Ignatius Press, 2012), 5081. Hereafter DH.

[55] Ibid., §2.

[56] "Statement of Edward Idris Cardinal Cassidy at Press Conference, Geneva, June 11, 1999" PCPCU *Information Service* 103 (2000): 3–4, §7; In German: GER-DER, D.3.

solution to the perceived problems and also that the churches both understood the document in the same way.[57] Nevertheless, the official acceptance of the Annex and the JDDJ in the Official Common Statement by the responsible parties of both churches [i.e. the LWF Member Churches and Council on the one hand and the PCPCU, CDF, and Pope on the other] did not satisfy the concerns of all interested parties. This section will provide an overview of the major critiques of the JDDJ made during its writing and after its acceptance.

These critiques fall into two major categories, with most authors leveling both kinds of criticism. The first type touches upon the document's methodological assumptions, rejecting the cogency or application of the differentiated consensus model. The second disputes that a consensus has in fact been reached. Making the critiques clear and the differences stark at this point will allow chapters four and five to grapple with the fullest and most responsible versions of the difficulties, and to show that the JDDJ's solutions meet these challenges.

The major critiques that are still levied against the JDDJ began to emerge during the process of its development. Many groups weighed in on the growing consensus on justification through solicited and unsolicited channels. Although they are directed at one of the predecessor documents and not the JDDJ itself, the concerns regarding *Lehrverurteilungen—Kirchentrennend?* published by the Protestant Faculty of Göttingen in 1990 continue to form theological opinions directed against the JDDJ. Similarly, the two public dissents from the JDDJ by Protestant Professors of Theology made in 1998 and 1999 remain the basis for many others' critiques, as does that published by six Luther

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[57] Ibid §§5–7 and Ishmael Noko, "Letter of Dr. Ishmael Noko to Cardinal Cassidy (July 2, 1999)," *PCPCU Information Service* 103 (2000): 5.

Seminary faculty members. I will follow these streams of critique through the "No" votes

from LWF churches and the public dissents and responses published by non-LWF

Lutheran churches. There are fewer Catholics who have taken a position against the

JDDJ, and so I will confine myself to a few comments of Avery Cardinal Dulles and the

work of Christopher Malloy before summarizing the major critiques of the JDDJ's

proposal.

There are many more detailed position papers regarding the Declaration than can

be fully engaged in this dissertation, particularly in an introductory section intended only

to set the stage for a more specific theological project. In engaging the more specific

concerns regarding the anthropology of the redeemed sinner in the JDDJ, I will, of

course, engage the published critiques more deeply, but only in relationship to the

question of the anthropology of the justified Christian. Readers who are interested in

considering the breadth of contemporary critiques of the JDDJ in light of major trends in

Lutheran thought particularly, are encouraged to consult the excellent *Doctrine,*

Dynamic, and Difference, recently published by Pieter de Witte.[58]

Überholte Verurteilungen (1990)

This response to *Lehrverurteilungen—Kirchentrennend?* (LK)*,* which was

published by the Protestant Faculty of Theology at the University of Göttingen has a

much wider scope than justification, as does the document to which it responds. It is

divided into an introduction and three sections, each responding to a section of LK:

Justification, The Eucharist [*Das Heilige Abendmahl*], and Ecclesial Office [*Das*

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[58] Pieter de Witte, *Doctrine, Dynamic and Difference: To the Heart of the Lutheran-Roman Catholic Differentiated Consensus on Justification,* (New York: T&T Clark, 2012).

kirchliche Amt]. The introduction makes its own important argument against the assumption in LK that "sixteenth-century condemnations" is a useful category in both Lutheran and Catholic theology. Like many of the later questions that would be raised about the JDDJ, this concern is fundamentally one about parallelism. In this case, the concern is that while the Council of Trent makes clear condemnations using the classical formula *anathema sit*, this is rarely true of the Lutheran Confessions. Thus, a question of genre may remain unaddressed by the attempt to declare the non-applicability of Reformation-era condemnations. Examining the text of LK and the condemnations that it addresses, the Göttingen faculty find three difficulties: first, a quantitative difference between a much greater number of Tridentine anathemas and many fewer Lutheran Confessional condemnations; second, a qualitative difference between what the groups intended by their condemnations that is rooted in ecclesiology. This produces the third difficulty suggested by the Göttingen faculty, that there is a historical difference in the self-understanding of canonically-excluded Lutherans and canonically-excluding Catholics. In their view, when taken together, these difficulties create reason to say that LK is

> built on shaky ground. Because of this, beginning the project of approaching the church-dividing contradiction through overcoming the sixteenth-century condemnations one-sidedly rests on Roman Catholic assumptions and introduces these into the Lutheran Confessions. If one wanted to do the confessions justice, one would have to hold their positive and argumentative statements in tension with their partly implicit, partly explicit [self-]differentiation from the Tridentine condemnations.[59]

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[59] *Überholte Verurteilungen*, 25. "…auf schwankendem Boden stehen. Denn das Projekt, die kirchentrennenden Gegensätze zu beseitigen, beruht einsitig auf römisch-katholischen Voraussetzungen und trägt diese in die evangelischen Bekkentnissschriften ein. Wollte man deren Sicht gerecht werden, müßte man ihre positiven und argumentierenden Aussagen mit den darin teils implizierten, teils ausgeführten Abgrenzungen den tridentinischen Verwerfungen entgegenhalten."

This critique is not without merit. The documents of the Lutheran Confessions are of

several genres, none of which are formal conciliar canons. The document argues that

while Roman Catholics consider the church to be juridically structured, and therefore in

need of solving the danger to church unity posed by Trent, Lutherans do not, and so have

no need to overcome sixteenth-century condemnations.[60] As an ecclesiological point, this

distinction seems overdrawn. While sixteenth-century Lutherans were, in fact, arguing

for their non-exclusion from the Church Catholic, and the Council of Trent did produce

anathemas unlike the contents of the Lutheran Confessions, the Confessions have been

interpreted since the sixteenth century as documents marking the boundaries of a true

Christian identity against false doctrines. The Göttingen document, like many of the

responses to the JDDJ, seems to want to argue two conflicting points simultaneously:

First, that the Roman Catholic position is excluded because of Lutheran commitments to

the gospel found in the Book of Concord. Second, that the lack of the formula *anathema*

sit prevents this exclusion from being the kind of formal condemnation that LK and the

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[60] Ibid., 23–24. "Der eine Grund liegt in der Natur der Kirchenspaltung des 16. Jahrhunderts. Sie kam zustande durch einen Rechtsakt, in dem die Reformatoren und ihre Anhänger aus der Gemeinschaft der Kirche ausgeschlossen wurden – ein Vorgehen, das mit dem Bann gegen Martin Luther und dessen Anhänger begann und sich im Konzil von Trient vollendete. D.h., *fur die römisch-katholische Kirche konstituierte dei Verwerfung das Verhältnis zur Reformation.* Aus der Seite der Reformation dagegen besteht die ursprüngliche Verhältnisbestimmung in einer positiven Darlegung der als gemeinsam vorausgesetzten christlichen Warhheit, von der aus sie ihre Kritik an falscher Lehre und Praxis in der Kirche vorbrachte und einsichtig zu machen suchte: Man bekannte den Glauben an das Evangelium in der überzeugung, darin mit der eigentlichen Anliegen der ganzen Kirche einig zu sein, und ging zunächst davon aus, mit dem Widerspruch bei aller Schwere doch nur inoffizielle Irrlehren, zweitrangige Dogmen und mißbräuchliche Praktiken zu treffen. *Der Widerspruch sollte der gemeinsamen Wahrheit dienen.* Die kirchliche Trennung war demgegenüber ein Vorgang, den man nicht vollzog, sondern erlitt: darin, daß das evangelische Bekenntnis zurückgewiesen wurde, daß viele der von der Reformation kritisierten Lehren und Praktiken non bewußt bejat und offiziell festgeschrieben wurden, und in dem damit verbundenen Ausschluß aus der kirchlichen Gemeinschaft durch Rom. Dies Widerfahrnis der Ablehnung und Ausgrenzung aber ließ das evangelische Bekenntnis für alle, die daran festhielten und neu hinzutraten, nun selbst zur kirchen trennenden Abgrenzung werden – ein Sachverhalt, dem man dann auch durch die Explikation des hierin implizierten Gegensatzes und punktuell durch Verwerfungen Rechnung trug. D.h. zusammenfassend gesagt: Die unterschiedliche Zahl und Bedeutung der Verwerfung in den beteiligten Kirche ist verwurzelt in ihrem unterschiedlichen Selbstverständnis gegenber der jeweils anderen Seite."

JDDJ seek to overcome. Because the Göttingen faculty argues that justification plays a unique ordering role within Lutheran theology, an agreement on justification must change the relationship between the churches. This change is remarkably similar to the change wrought by declaring the Tridentine anathemas to not apply.

Regarding justification specifically, the Göttingen faculty begins with a description of the historic Lutheran insistence that justification must be the central confession of the Christian church, relating to all other doctrines.[61] The JDDJ will later also be criticized for minimizing the importance of the doctrine. While LK insists that a genuine consensus on justification is necessary, the Göttingen faculty critiques its reasons for saying this, which they find to be merely historical, rather than theological.[62] They worry that an agreement based on the kind of analysis that LK provides means that "there is no need to prove 'that we are at one in the structure of our thinking' and 'in our mode of expression.'"[63] This worry will also continue throughout critiques of the documents leading to the JDDJ, expressed in worries about equivocation or in statements that agreements cannot be real unless they are expressed and are understood in exactly the same way by all participants. The Göttingen faculty suggest that the difference between LK's procedure and their own is a difference between supposing "that the only thing that counts is that all these elements —grace, faith, Christ, will, works, and so forth— are represented everywhere, no matter in what shape or relationship," and a theology in

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[61] Ibid., 28–31.

[62] Ibid., 31.

[63] Ibid., 35. "Aus dem ersten "Grundsatz" folgt, daß keine Notwendigkeit besteht, „Übereinstimmung in der Struktur der Gedenkenführung" und in der „Ausdrucksweis" nachzuweisen." Translation by Oliver K. Olson with Franz Posset, *Outmoded Condemnations: Antitheses Between the Council of Trent and the Reformation on Justification, the Sacrament, and the Ministry — Then and Now*, (Fort Wayne: Luther Academy, 1992), 21.

which "the correct relationship of the elements itself is the concern."[64] If their critique were substantive, it would be of real concern, for merely using the same words cannot mean agreement, otherwise "man bites dog" and "dog bites man" would be equivalent statements.

They ask for clarity on several specific areas in which they do not think LK reaches true agreement, several of which will continue to be contested areas in the JDDJ, especially the question of concupiscence as sin, human passivity, the place of good works, the assurance of salvation, and merit. Each of these loci receives consideration from the view of the theological crises of the sixteenth century and are summed up by the Göttingen faculty as follows:

> To put it concretely: the common statements cited above can be considered unequivocal only if they are understood in the fashion in which, according to the Reformation view, they must be understood, by observing the following narrower definitions which prevent the relativism of making them particular 'concerns,' and about whose 'urgency' and 'scope' no 'different opinion' is permitted.[65]

Their concerns, specifically that agreement is being reached by selling the treasured possessions held since the Reformation, will appear again and again as we look at the critiques of the process that would result in the JDDJ. At the heart of each is a discomfort with differentiated consensus based on the assumption that any real differences must destroy meaningful consensus.

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[64] Ibid., 23.

[65] Ibid., 47, translation from *Outmoded Condemnations,* 31.

Response of Six Luther Seminary Faculty (1997)

Once the final form of the JDDJ was published, a group of six professors of

Luther Seminary, an ELCA seminary located in St. Paul, Minnesota, published a

response in May of 1997. This position paper builds on the critiques of LK by the

Göttingen faculty while contributing several novel critiques about process.[66] Their first

plea is for more time for an intra-ELCA discussion of the document, arguing that the

ELCA's April 1997 decision to set a vote for that August's Churchwide Assembly did

not allow enough time for debate, despite the fact that the document had been under

public discussion for six years and was built on dialogues reaching back decades.[67]

Like the Göttingen faculty, the Luther Seminary professors call attention to the

non-parallel character of the condemnations of the Council of Trent and the fewer and

more internally-directed condemnations of the Lutheran Confessions. They reiterate that

"[a]t no point is the Roman Catholic Church or its membership specifically

anathematized —excommunicated from Christian fellowship— nor are Roman Catholics

excluded by Lutherans from Lutheran fellowship, including Holy Communion, even to

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[66] Gerhard Forde, Pat Keifert, Mary Knutsen, Marc Kolden, Jim Nestingen, and Gary Simpson, "A Call for Discussion of the 'Joint Declaration on the Doctrine of Justification,'" *Dialog* 36 no. 3 (1997): 224–29.

[67] This plea for more time to study an issue that had been on the public docket for decades is perhaps the result of the unresolved questions about the understanding of the national church following the ELCA's merger. The question of the relationship between local congregations and the regional and national expressions of the ELCA was divisive throughout the 1990s, revealing differing notions of the ministry in Lutheran theology. This division would later come to a head over the ELCA's proposed *Concordat* with the ECUSA and its replacement, *Called to Common Mission.* Several authors of this response to the JDDJ became key members of the Word Alone Network which coalesced to fight off the *Concordat*. See Edger R. Trexler, *Anatomy of a Merger: People, Dynamics, and Decisions that Shaped the ELCA,* (Minneapolis: Augsburg, 1991); Mark Granquist, "Word Alone and the Future of Lutheran Denominationalism," in *Lutherans Today*, edited by Richard P. Cimino, (Grand Rapids: Eerdmans, 2003): 62–80

this day."[68] What they do find important about the division between Lutherans and Catholics are not the questions of canon law raised by anathemas and excommunication. Nor are they convinced by the argument that Lutherans and Catholics must agree on the priority of God's grace. Instead, they say the disagreement is about the understanding of "grace" itself. They articulate Trent's understanding of justification "as the progressive transformation of the soul through the causal power of grace." They argue that this leads to pastoral problems, namely,

> the haunting questions that ensue. Am I transformed enough yet? Do I have enough grace yet? What if it doesn't work? Practically speaking, the Christian is left with only two options: either desperately to redouble one's own efforts to be good enough or to conclude that God has not given me this transforming grace, and so has inexplicably predestined me to be excluded from salvation.[69]

Against this, they posit a Lutheranism that roots salvation in God's trustworthiness and the believer's acceptance of the divine promise. Sacraments are not events that infuse grace, but "divinely given signs" and "new communicative acts on God's part."[70]

On the question of method, the six Luther Seminary faculty do not say much directly, although they bemoan the "[e]quivocal language in the Joint Declaration."[71] They see such language in many places, allowing the joint statements to be "read in either Tridentine terms or in Lutheran terms."[72] The underlying assumption of their critique seems to be that the document's task is to either settle the sixteenth-century dispute in

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[68] "Call for Discussion," 225.

[69] Ibid., 226.

[70] Ibid., 227.

[71] Ibid.

[72] Ibid.

favor of one of the parties, or to demonstrate that either Trent or the Lutheran Confessions was mistaken and is repudiated by its own descendants.[73]

Differentiated consensus, on the other hand, seeks to describe the theological insight that the supposedly contradictory statements may not, in fact, be contradictory. As such, it rests on relationship and dialogue. Distilling years of mutual understanding into a shortened statement like the JDDJ is difficult. The reader bears much of the weight of seeking to understand how the other's language might be received, rather than merely recasting the same script filled with dismissive understandings of the other's language and treasured insights. As will become clear through what follows, many readers find the JDDJ to be guilty of equivocation. Attention to method will have to be central to any attempt to explain the JDDJ's content if it is to be received widely in the churches.

Votum der Hochschullehrer zur GE (1998)

As mentioned above, the final draft of the JDDJ received a public response from 141 German Protestant professors of theology.[74] This 1998 statement asserts that there is no possible agreement between Lutherans and Catholics on a variety of fronts: the centrality of the teaching on justification; the sinful character of the justified person, the law and gospel, assurance of salvation, and good works in the justified person.[75] It also

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[73] So, for example, the one "possible breakthrough" they find in the JDDJ is in its language about the assurance of salvation, in which "for the first time, a move is made beyond Trent to the Second Vatican Council." The assumption seems to be that the Church's past is to be superseded, not sublated. Ibid., 228.

[74] *Votum der Hochschullehrer zur 'Gemeinsamen Erklärung zur Rechtfertigungslehre,'"* GER-DER, C.27.b.

[75] Ibid. The last four of these correspond to sections 4.4–4.7 of the JDDJ. Interestingly, it does not mention 4.1–4.3, which are titled "The Powerlessness of the Christian to Effect Justification," "Justification as Forgiveness of Sins and Making Righteous," and "Justification by Faith through Grace." The issues dealt with in these three certainly have bearing on, if they are not the same as, those in the later sections.

worries that the JDDJ is being set up as a new confessional statement, which could call into question the communion between the LWF and non-LWF Evangelical Churches in Germany, and that of the Leuenberg Church Fellowship (now the Community of Protestant Churches in Europe).[76] Finally, it worries that the asymmetry between Lutheran and Catholic ecclesiologies means that JDDJ is a step towards bringing Lutheran clergy under the authority of the pope, something this document argues is a Roman Catholic requirement for any eventual intercommunion.[77]

This statement is quite compact, and as such, makes few arguments for its claims. However, the claims of difference rest on the hermeneutical assumption that the sixteenth-century disputes require adjudication, a path that the JDDJ refuses in its pursuit of a differentiated consensus rooted in an ongoing relationship of mutual understanding and dialogue. The ecumenical worries about the impact that signing the JDDJ will have on the inter-Protestant agreements in Europe are worth discussing, although more than a decade after JDDJ, they seem to have been without basis.

"No" Votes from LWF Churches

As part of the official process of reception by the LWF, the LWF council asked each member church to respond to the final text of the document, specifically to consider this question:

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[76] Ibid., §§III, IV.

[77] Ibid., §V. This is, of course, an open question in the ecumenical conversation about full, visible unity. The necessity of the Pope's universal jurisdiction to his serving as the personal center of unity is under discussion in several ecumenical dialogues. As a matter of fact, however, the Roman church recognizes the validity of order and eucharist in several churches over which the Pope does not presently have jurisdiction, such as the Oriental and Eastern Orthodox. In relationships with the Assyrian Church of the East, pastoral considerations have led to agreements about regular eucharistic sharing despite no full visible unity or papal jurisdiction.

Does your church accept the conclusions reached in §40 and §41 of the Joint Declaration and thus join in affirming that, because of the agreement on the fundamental meaning and truth of our justification in Christ to which the Joint Declaration testifies, the condemnations regarding justification in the Lutheran Confessions do not apply to the teaching on justification of the Roman Catholic Church presented in the Joint Declaration?[78]

The LWF categorized official responses as follows:

By the time of the Council vote on the Joint Declaration, 89 of the 124 LWF member churches had weighed in with their opinions on the document. Of those churches responding, 80 (91 percent) said "yes" to the document. The churches that said "yes" have 54.7 million members, or 95 percent of the Lutherans in LWF member churches. Five churches said "no," with four difficult to categorize.[79]

The concerns of these the negative responses can be summarized as follows:[80] all of the negative responses begin by stipulating that the JDDJ represents a significant step forward, although not reaching the benchmark that Dr. Noko's letter stipulates, i.e., that the condemnations do not apply to the teaching of the Roman Catholic Church as presented in the JDDJ. Several of the negative responses seem to be requiring an even more stringent standard; the Danes, for example, explicitly state that there are no condemnations in their confessional documents that touch the Roman Catholic teaching but return a "No" vote because there is not sufficient clarity in the document to accept it as a "new symbol of the Christian Church."[81] In addition, several churches —after

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[78] Ishmael Noko, "Letter to Member Churches and National Committees of the LWF" 26–27. February, 1997. English cited from the Swedish Church Response, GER-DER, C.7. German text in GER-DER, C.2

[79] LWF Council, "Press Release 09/98" June 17, 1998.

[80] Negative responses were received from the following churches. Most are available in Hauschild at the location listed: the Estonian Evangelical Lutheran Church Abroad, Canada (not in Hauschild), the Evangelical Lutheran Church in Baden, Germany (C.33), the Kinki Evangelical Lutheran Church, Japan (C.13), the Malagasy Lutheran Church, Madagascar (C.17), and the Lutheran Church of Nigeria (not in Hauschild). In addition, three responses are categorized, "Difficult to Interpret, but Seem to Be "No": Church of Lippe, Germany (C.43), the Evangelical Lutheran Church in Denmark (C.6), and the Evangelical Lutheran Church of Schaumburg-Lippe, Germany (C.41). *Lutheran World Information,* "Responses to the 'Joint Declaration' from LWF Member Churches," June 24, 1998.

[81] "Letter to the General Secretary of the LWF from the Office for Interchurch Relationships of the Evangelical Lutheran Church in Denmark," in GER-DER, C.6.a, §1.

pointing out that the Lutheran Church does not condemn the Catholic Church— point to

the current one-sided invitation to communion,[82] or recognition of ecclesiality,[83] as

demonstrating a need for a Catholic growth in openness without a parallel need on the

part of Lutherans.

Several of these documents argue that the JDDJ is too general to be a real

agreement, either because of topics it does not cover,[84] or because the agreement it does

reach is too facile.[85] Throughout the negative responses, questions of process are

common. The possability of differentiated consensus is itself at issue, although it is not

always named as such. The Kinki Evangelical Lutheran Church's response is particularly

illuminating in this regard, as it suggests that the JDDJ both affirms and rejects the

Council of Trent, particularly canon 12 from session six, on justification. It lauds the

document for showing Roman Catholic progress towards "a more biblical and Lutheran

view of justification," but looks for ongoing dialogue that will sort out "which of the

16th-century traditions represents the truth."[86] The response assumes that the agreement

of the churches necessitates a single form of speech and behavior. Even a common

language is not enough:

> The view of JD[DJ] is that in spite of slight differences in wording, etc., the
> Roman-Catholic and Lutheran Churches now basically agree concerning the
> doctrine of justification. In our view, however, JD[DJ] rather documents the
> opposite: the two churches are able to express their doctrines in similar, even

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[82] Beschluss der Landessynode der Lippischen Landeskirche, in GER-DER, C.43, §5;

[83] Beschluss der Evangelisch-Lutherischen Landeskirche Schaumburg-Lippe, in GER-DER, C.41.b, §3.

[84] Kinki Evangelical Lutheran Church, Malagasy Lutheran Church,

[85] This argument is made, at least implicitly, in all of the "No" votes listed above.

[86] Kinki Lutheran Church, in GER-DER, C.13, §2.

identical terms. What they mean by these terms, are, however, still basically different.[87]

Agreement must mean not only finding a common language, but complete unanimity, for "[e]ven if the different doctrinal traditions of the 16th-century did not necessarily condemn each other, as JD[DJ] wants us to believe, they are still different and cannot all be true."[88] These two hermeneutic assumptions, that Christian teaching must be universal in all particulars and that the sixteenth-century disputes must be adjudicated within the historical terms of the debate, declaring a winner and a loser, would be very damaging to ecumenical prospects if they were true. They will therefore receive more extensive engagement in chapter two.

A similar, although more softly-worded, hermeneutic is found in the opinion of the Evangelical Lutheran Church of Baden, Germany. This stipulates that it reads the document's assertion "the Lutheran and the Catholic explications of justification are in their difference open to one another" in §40 to mean that these constitute "a domain for future further efforts towards a greater agreement."[89] This stipulated understanding, unless it is taken to mean that there can always be the possibility of more understanding, eviscerates the agreement of the JDDJ and ignores the second half of the sentence to which it refers; this stipulates that the remaining differences do not destroy consensus.

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[87] Ibid., §3.

[88] Ibid. §2.

[89] "Wenn die in §40 erwähnten noch verbleibenden Unterscheide als "offen aufeinander in' bezeichnet warden, so bedeuted ist für uns ein Feld künftiger weiterer Bemühungen um größere Übereinstimmung." Beschluss der Synode dr Evangelischen-Lutherischen Kirch in Baden, in GER-DER, C.33, §B.1.

Other common concerns in the negative responses are that the Roman position is either setting the terms of the dialogue,[90] or is not truthfully represented by the JDDJ.[91] Specific Lutheran theological modes of speech are often held up as requiring more attention or not having been central enough in the agreement. Among these, §18 and its language about justification being "an indispensable criterion" is almost universally described by dissenting votes as being insufficient to Lutheran teaching.[92] Other such concerns include the question of a believer's assurance of salvation,[93] concupiscence as sin,[94] law and gospel,[95] and the role of divine grace in justification.[96]

Of the negative responses, perhaps that of the Malagasy Lutheran Church is the most unusual. While it also is concerned that the document is too facile in its equation of Lutheran and Catholic views, especially in 4.1 and 4.2 ["Human Powerlessness and Sin in Relation to Justification" and "Justification as Forgiveness of Sins and Making Righteous"], the bulk of the response refers to questions of church practice that are not mentioned in the JDDJ, especially the 1990 beatification of Victoire Rasoamanarivo by Pope John Paul II. It levies several kinds of critique against this move, including post-

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[90] Baden §B.4, §B.6; Schaumberg-Lippe, C.41.a, ¶8-9, and Lippe §4.

[91] The Malagasy response suggests that the Roman practice of beatifying particular ancestors in the faith is not compatible with Lutheran teaching on justification. It also points to Roman language about the "sacrifice of the mass" and the "mediation of Mary" in the documents of Vatican II.

[92] Baden§B.3, Lippe §4, Denmark ¶4.

[93] Baden,§B.5

[94] Baden §B.3; Kinki §3; Denmark makes the same point from the other direction in considering the *simul*, ¶4.

[95] Baden §B.4

[96] Baden §B.6; Kinki §3, Lippe §4, and Denmark ¶5.

colonial concerns that the "gesture does not come from a regional or even a local authority,"[97] and relating it specifically to the doctrine of justification:

> As we have emphasized, moreover, in accordance with the spirit of paragraph 18 of the Draft Declaration, the doctrine of justification cannot be taken independently of the other truths of faith on the one hand, and the practices of ecclesiastical life on the other. We do not see how the doctrine of justification by faith alone in Jesus Christ would be consistent with this practice of beatification, which, as we have noted in our local context, i.e. Madagascar, is tied to the temptation of ancestor-worship, a temptation towards a syncretism that we always try to fight.[98]

In a similar attention to church practice, the Malagasy Lutheran Church suggests that agreement on justification would require the Roman Catholic Church to reject "the doctrine of the mediation of Mary" and "the doctrine of the sacrifice of the mass."[99]

The negative ecclesial responses to adopting the Joint Declaration, taken as a whole, laud it for the progress it makes while suggesting that this progress is not sufficient to its goals. While some of these opinions seem to confuse what the goals of the document are, others interpret these goals as intended but reject that a differentiated consensus of the kind proposed is sufficient to achieving them.

Public Critiques by non-LWF Lutheran Churches

Official positions on the JDDJ were made public by two non-LWF churches, the Lutheran Church–Missouri Synod (LC–MS) and the Selbständige Evangelisch-

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[97] "ce geste, qui ne vient pas d'une instance locale ou même régionale, mais d l'instance suprême de l Église Catholique." Stellungsnahme der Generalsynode der Madagassischen Lutherischen Kirche., ¶6.

[98] Comme nous l'avons souligné, conformément d'ailleurs à l'esprit du paragraphe 18 du Projet de Déclaration, la doctrine de la justification ne saurait être prise indépendamment des autres vérités de la foi, d'une part, et de la pratique de la vie ecclésiastique d'autre part. Nous ne voyons pas comment la doctrine de la justification, qui, comme nous l'avons fait remarqué, dans notre contextes local, à Madagascar, fait corps avec la tentation au cuite des ancêtres, [sic. in GER-DER. Instead read "culte des ancêtres."] tentation de syncrétisme contre laquelle nous essayons toujours de lutter." Ibid., ¶7.

[99] Ibid., ¶8.

Lutherische Kirche (SELK) of Germany. Both churches are members of the International

Lutheran Council, an international association of "confessional Lutheran church

bodies."[100]

The LC–MS issued two official reactions to the JDDJ in quite different formats.

The first, appearing December 9, 1999, as an advertisement in 15 US newspapers, was a

short, popular statement entitled "Toward True Reconciliation."[101] The Office of the

President encouraged all LC–MS congregations to reprint the statement in parish

bulletins or to distribute it to their members by other means.[102] It asserts that the JDDJ

"does not actually reconcile the difference between us concerning the most important

truth of Christianity." The particular difference needing reconciliation is that

> the Roman Catholic Church teaches that something more than trust in Christ is
> necessary for us to be saved. It teaches that we are able to merit, through our
> works, eternal life for ourselves and others. We believe this teaching obscures the
> work of Jesus Christ and clouds the central message of the Bible.[103]

The second, and much more substantive response from the LC–MS is a report from the

church's Commission on Theology and Church Relations in response to President

Barry's request for a study of the JDDJ. Entitled, "The Joint Declaration on the Doctrine

of Justification in Confessional Lutheran Perspective," it consists of an evaluation written

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[100] Self-description from ILC website, Accessed January 28, 2014, http://www.ilc-online.org/. It is interesting to note that while the group functions in some ways like the LWF, it is both more diffuse (being an association, not a communion), and more unified in its theological presuppositions (all bodies accept the entire *Book of Concord* as binding, while the documents accepted by LWF churches vary from just the Augsburg Confession to the entire *Book of Concord*).

[101] Lutheran Church–Missouri Synod, "Toward True Reconciliation: A Comment on Lutheran-Roman Catholic Relations," *Milwaukee Journal Sentinel,* December 9, 1999, 6A. Available on Google News, http://goo.gl/CMdagQ, accessed January 28, 2014.

[102]The statement was issued as a press release by the Office of the President of the LC-MS and printed as a paid advertisement in "Chicago (two newspapers), Cincinnati, Cleveland, Columbus, Dallas, Des Moines, Detroit, Houston, Indianapolis, Kansas City, Saint Louis, Milwaukee, Minneapolis and Toledo." LCMS News, December 8, 1999.

[103] "Towards True Reconciliation." ¶5.

by each of the LC–MS's two seminary faculties, a summary of these evaluations, the text

of the JDDJ, and study questions for parish discussion.[104] Like many critiques of the

JDDJ, this document begins by critiquing the method of the document, asking "[h]ow can

there be a genuine consensus on basic truths if the language, the elaborations, and the

emphases differ?"[105] It takes differentiated consensus to imply a contradiction that is

merely overlooked, and interprets the document in light of this assumption. All

differences are understood as implying disagreement, and the idea that two different

theologies may be "open to each other," to be evidence that

> there is a new and dangerous dialogical methodology at work here. It seems to be
> possible to affirm both that a theological statement is true and that what
> contradicts it is true as well. According to these laws of dialog (or is it
> lawlessness?), there appear to be no differences that matter, none that can be said
> to destroy 'consensus.'[106]

A more subtle critique is levied by the faculty of Fort Wayne Seminary, although it

reaches the same conclusion.

> The Joint Declaration follows a similar pattern in distinguishing between the basic
> "concerns" or "intentions" and the actual doctrinal positions and formulations of
> Trent and the Book of Concord. First, terms like grace, faith, and justification are
> identified, but precise meanings give way to equivocations. Then the Declaration
> takes these ambiguities as proof of a "consensus on basic truths concerning the
> doctrine of justification," of which the differing theologies of the two churches
> are merely complementary and not contradictory expressions.[107]

These methodological concerns also mean that the terms of the debate in the sixteenth

century are insurmountable. This can be seen in the document's engagement with the

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[104] Commission on Theology and Church Relations, Lutheran Church–Missouri Synod, *The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective*, (St. Louis: Lutheran Church–Missouri Synod, 1999). Available on the website of the LC–MS, accessed January 28, 2014, www.lcms.org/Documentfdoc?src=lcm&id=339.

[105] Ibid., "Summary," §2. Also "Evaluation by Concordia Seminary, St. Louis, MO," 42.

[106] Ibid., 43.

[107] *Confessional Lutheran Perspective*, "Evaluation by Concordia Theological Seminary, Fort Wayne," §7.

JDDJ's description of the condemnations as "salutary warnings."[108] Neither seminary faculty's response nor the summary imbue this term with the seriousness that the JDDJ itself says that it implies.[109] Instead of being a description of why the condemnations still matter, the LC–MS evaluation understands the language of "salutary warnings" to witness to the weakening of a necessary theological clarity that the sixteenth century debate was protecting.

The specific theological critiques that are brought to the document will not be surprising to the reader at this point. They begin with an unresolved difference between a juridical and a transformational account of righteousness.[110] They then describe a difference regarding grace understood as an infused power or as God's favor,[111] producing disagreement on what salvation "by faith" means.[112] The question of concupiscence as sin is therefore described as "unresolved."[113] Finally, the evaluations deem the JDDJ deficient in its understanding of the centrality of justification, which they argue leads to further problems: "When the other articles of faith are not related to justification, those articles will be misunderstood or misconstrued. Ultimately, Christ will be robbed of his honor as the Savior of sinners."[114]

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[108] JDDJ §42.

[109] "Nothing is thereby taken away from the seriousness of the condemnations related to the doctrine of justification. Some were not simply pointless. They remain for us "salutary warnings" to which we must attend in our teaching and practice" JDDJ §42.

[110] *Confessional Lutheran Perspective,* "Summary," §4; "Fort Wayne," §1; "St. Louis," 44–45.

[111] Ibid., "Summary," §5, "Fort Wayne," §2.

[112] Ibid., "Summary," §6, "St. Louis," 42–43. The question of faith as "*fiducia*" will be examined in chapter five. See p. 272.

[113] Ibid., "Summary," §7, "Fort Wayne," §4; "St. Louis," 35.

[114] Ibid., "Summary," §10. Similar points are made in "Fort Wayne," §§3, 5, 6; "St. Louis," 44.

This concern, that losing the absolute centrality of justification leads to a variety of theological difficulties, is also expressed in the evaluation by the Selbständige Evangelische-Lutherische Kirche. This document specifically suggests two problematic outcomes of the JDDJ's softening of *articulus stantis vel cadentis ecclesiae* to "an indispensable criterion that constantly serves to orient all the teaching and practice of our churches to Christ."[115] The first of these is that the JDDJ connects with a simple "and" expressions that "under the dialectic of Law and Gospel cannot be merely described as coequal."[116] It is referring, in particular, to such things as "Justification as Forgiveness of Sins and Making Righteous" (4.2, title) or "justifies, and truly renews the person" in §28.

The SELK response also argues that a second misunderstanding results from sidelining the law/gospel dialectic. This regards the subject of the renewal of the Christian. They worry that Christ's priority as the only actor in Christian salvation is reduced by the Christian's own engagement in his salvation. They see this as leading to a situation in which "the remaining language in the Lutheran description (§32) regarding the *usus elenchthicus* of the law remains in the rest of the JDDJ as a foreign body."[117]

The SELK also finds deficits in the JDDJ's method, along the lines of those described by the LC–MS evaluation and other critics of the JDDJ. In addition, it questions whether the churches can really be considered partners, or whether they must always be understood as two sides in a zero-sum game disputing the truth. Ecclesial

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[115] JDDJ §18.

[116] Selbständige Evangelische-Lutherische Kirche, "Stellungnahme der Selbständige Evangelischen-Lutherischen Kirche zur "Gemeinsamen Erklärung zur Rechfertigungslehre" (Römisch-katholische Kirche – Lutherischer Weltbund." §2. Available on the SELK's website, accessed January 26, 2014, www.selk.de/download/gekrit.pdf."Da-durch warden Aussagen miteinander verbunden, die sich unter der Dialektik von Gesetz und Evangelium eben gerade nicht als gleichrangig herausstellen würden."

[117] Ibid., "Die noch verbleibende Rede vom usus elenchthicus des Gesetzes in der lutherischen Entfaltung (32) bleibt somit im Gesamt der GE ein Fremdkörper." The *usus elenchthicus* is the second use of the Law, i.e. the function of the Law which condemns the Christian's sins.

differences are located not only in how the scriptures are interpreted (and what role the bible has within theological thinking), but in the place of the sacrament of reconciliation and the possibility of the salvation of non-believers.[118]

Critiques by Lutheran Theologians After Signing

After the final form of the JDDJ became public, and continuing after its signing, individual Lutheran theologians published dissenting or dismissive treatments, often in connection to one of the public statements of the German professors of theology. Most of these mirror the positions taken by the joint faculty statements from Germany and the United States or the LC–MS statement.[119] These documents are not unimportant, but they do not contribute substantially different critiques from those that have already been described in this section, and so they will not receive more specific consideration here.

Critiques by Catholic Theologians After Signing

After being signed, the JDDJ has received little critique from Catholic authors. This is likely due in part to structural differences between Roman Catholic and Lutheran

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[118] Ibid., §4.

[119] Some of them were published in context of translating or re-publishing these documents. Others were authored by contributors to these documents, often as part of a journal's collection of theological discussion of the JDDJ. As an example of the first, see Gerhart O. Forde, "The Critical Response of the German Theological Professors to the *Joint Declaration On The Doctrine Of Justification,* with an Introduction," *Dialog* 38 no 1 (1999), 71–72; As an example the second, see James Nestingen, "Anti-JDDJ: Visions and Realities," *Dialog* 39 no 2 (2000), 140–41, or Reinhard Slenczka, "Agreement and Disagreement about Justification: Ten Years after the *Joint Declaration on the Doctrine of Justification,*" *Concordia Theological Quarterly* 73 (2009):291–316. While she is not a Lutheran Theologian, the critique of the JDDJ offered by Daphne Hampson should also be considered as falling in this category, both because of the arguments which she offers and because of her clear dependence on Forde for determining what an appropriately Lutheran theology is. Daphne Hampson, *Christian Contradictions: The Structures of Lutheran and Catholic Thought,* (New York: Cambridge, 2001).

engagement with the JDDJ. The LWF sent the document out to its then 124 member

churches, asking them for theological evaluation and to take a position on accepting it as

a whole. This encouraged widespread discussion among Lutheran theologians. The

Roman Catholic reception process was characteristically more Roman: it was evaluated

by the PCPCU and the CDF and eventually given approbation by Pope John Paul II.

Having been signed officially and on behalf of the whole church, there is less theological

room to argue that the document is wholly inadequate, as some Lutherans have done.

Nevertheless, there has been some theological pushback. One can point in

particular to some minor hesitancy from Avery Cardinal Dulles and to a more full-

throated critique from Christopher Malloy.[120] Dulles wished to affirm the JDDJ, while

defining the agreement it reaches as small. Commenting on the document's use of

"acceptable" to describe the remaining differences, he writes:

> I personally regard the term "acceptable" as poorly chosen. I would prefer to say
> "tolerable." By this I mean that I would not want to expel from the Catholic
> Church anyone who held the Lutheran positions on justification as described in
> the JD[DJ]. But if I were in a position to do so, I would prohibit these Lutheran
> positions from being preached in Catholic pulpits or taught in Catholic seminaries
> and catechisms. And conversely, I suppose that many Lutherans who subscribe to
> the JD[DJ] consider the Catholic positions described in that document misleading
> and even false.[121]

Dulles here paints a rather dour picture of the agreement in the JDDJ, one that is arguably

more pessimistic than warranted. Even if there is more than sufficient reason to say that

the document is not a final or complete agreement, to allow for one of the partners in this

dialogue to both subscribe to the agreement and call the positions of the other as

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[120]Avery Cardinal Dulles, "Justification and the Unity of the Church," in *Gospel and Justification in Christ*, ed. Wayne C. Stumme (Grand Rapids: Eerdmans, 2006), 125–40; Christopher J. Malloy, *Engrafted into Christ: A Critique of the Joint Declaration*, (New York: Peter Lang, 2005).

[121]Dulles, "Justification and Unity," 127.

described within it "false" would negate any and all concord that is present in it. On the other hand, one should note that Cardinal Dulles is referring to the use of Lutheran language by Catholics (and an implied use of Catholic language by Lutherans) as the context of this judgment. In this case, he could merely be saying that Lutheran language cannot be interpolated into a Catholic mode of discourse without rendering it false, although the force of the paragraph seems to imply more than this.

Instead, the agreement of the JDDJ is best read as a mutual recognition that the language of the other, while unfamiliar and potentially dangerous if imported into one's own context (Dulles' first point), is not false in the manner employed within the theological system of the partner. In this way, then, it serves as both a mutually agreed center to the churches' teaching and as agreement on the boundaries of legitimate difference. This is why the condemnations of the sixteenth century are not abrogated, but remain "'salutary warnings' to which [the churches] must attend in [their] teaching and practice."[122]

Malloy, on the other hand, after arguing in a first chapter that the JDDJ is not canonically binding on Catholics, thereafter maintains that the Declaration misunderstands the nature of the disagreement between Trent and the Lutherans.[123] This he locates in the Council of Trent's definition of the formal cause of justification.[124] He

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[122] JDDJ §42.

[123] If Malloy is right about this, it creates a historical irony, for in the CDF and the PCPCU's response to the final text of the JDDJ, they worry that the synodal structure of the LWF could mean that the LWF is incapable of making the kind of definitive commitment to the JDDJ which they understand themselves to be capable of, but which Malloy is arguing they did not accomplish.

[124]Trent defines the formal cause of justification as "the justness of God: not that by which he himself is just, but that by which he makes us just and endowed with which we are renewed in the spirit of our mind, and are not merely considered to be just but we are truly named and are just, each one of us receiving individually his own justness according to the measure which the holy Spirit apportions to each one as he wills, and in view of each one's dispositions and cooperation" (Session 6 ch.7, 26–32; DH 1529).

argues that because this disagreement remains unresolved, the document is not only juridically non-binding, but ineffective in its argument. Like the dissenting Lutherans engaged above, Malloy is neglecting the method of the Joint Declaration and suggesting that unless the theological modalities of the Council of Trent be wholly adopted by the Lutherans, no agreement is possible.

Summary of Critical Evaluations

As we have seen, these criticisms generally have two prongs. At a more fundamental level, they explicitly or implicitly challenge the basis on which the Joint Declaration claims that it has reached an agreement: the idea of a differentiated consensus. While the JDDJ does not use the language of differentiated consensus explicitly, it does describe its findings as follows:

> The understanding of the doctrine of justification set forth in this Declaration shows that a consensus in basic truths of the doctrine of justification exists between Lutherans and Catholics. In light of this consensus the remaining differences of language, theological elaboration, and emphasis in the understanding of justification described in paras. 18 to 39 are acceptable. Therefore the Lutheran and the Catholic explications of justification are in their difference open to one another and do not destroy the consensus regarding the basic truths.[125]

The idea that the differentiated consensus described in the JDDJ is impossible or illusory is wide-spread among its critics. Generally, a rejection of its method leads to a second kind of critique that is putatively of content. These critiques hold up treasured language or insights of their own tradition, state that the Declaration does not universally recognize

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Malloy argues that this has to be understood as an infused grace, which he argues Lutherans explicitly reject. He treats this justness as a kind of *instrumental* cause, rather than a *formal* cause in his argument, a subject which will receive significant attention in chapter four, beginning on p. 242.

[125] JDDJ §40.

them as the only way to properly speak of justification, and therefore declare no consensus to exist. Alternately, they may hold up language present in the document which had been rejected by earlier theologians of their church, asking how consensus can exist unless the other rejects their own traditional language.

Scope and Argument of the Project

All of the critiques that have been summarized require consideration because without extensive and deep reception in the churches, resulting in changed perceptions and behavior, official ecumenical agreement remains mere talk. On the other hand, it would be impossible to respond to all of these critiques well in one dissertation. I will, therefore, focus on one particular tension that is latent in the JDDJ's description of the baptized Christian and has long been a source of theological disagreement: how to describe justification adequately as both *accomplished state* and *ongoing process*. This tension is dealt with in different, and seemingly incompatible, manners by historic Lutheran and Roman Catholic theologies.

As discussed above, method and content are necessarily linked in the JDDJ. I will, therefore, balance two different kinds of argument: first, that the method of differentiated consensus, used by the Joint Declaration and much of contemporary ecumenical dialogue, is a viable method for describing a real agreement in doctrine once understood to be church-dividing; second, that each tradition's doctrinal commitments and historical anathemas can be reconciled with the agreement on Christian anthropology represented in the JDDJ.

The Question of Method – Differentiated Consensus

From reading the negative responses to the Joint Declaration, it becomes clear that method is an important leitmotif, whether it is recognized as such by the respondents or not. This is not surprising, for ecumenical reconciliation begins in building relationships between people. While these relationships provide the ground for consensus to emerge, they are difficult to replicate in the dialogues' official reports to the larger church bodies. Without a foundation in relationship, ecumenical harmony can easily give way to assertions that the treasured thought patterns and expressions of one's own tradition have been given short shrift in the dialogue's final product. Nevertheless, the dialogues are put in place not for the personal edification of their members, but to contribute to the full, visible unity of the churches. Explanations of the theological paths by which they came to recognize an underlying unity must be described for those they represent.

To contribute to the task of making the JDDJ's differentiated consensus on justification clearer and more widely accepted, I will first give sustained attention to the question of differentiated consensus itself, which will require engaging issues of hermeneutics, language, and the theological task in general. I will be aided in this project by Robert Masson's application of the findings of recent cognitive linguistics to theology. He provides an explanation for how meaning is carried in human cultural-linguistic systems. Analyzing the metaphoric blends by which the divergent Roman Catholic and Lutheran systems are constructed alongside that of the differentiated consensus will demonstrate how the JDDJ's consensus can represent a real "doctrinal reconciliation

without capitulation."[126] Demonstrating that this particular differentiated consensus is both coherent in itself and faithful to the logic of each system is itself an important task. However, attention to theological content will also lend support to the larger methodological claim; proving that the JDDJ accomplishes its goals in at least one area gives a practical credence to the viability of its method beyond the theoretical support mentioned above.

A Remaining Need for Anthropological Clarity

Even assuming that we can show differentiated consensus to be rational outcome from bilateral dialogues, the particular consensus of the JDDJ requires elaboration and development if it is to prove convincing to those members of both churches who have found it wanting in the past. Deeper engagements with the agreement of the JDDJ can also help push the official dialogues farther, specifically by attending to the differing assumptions out of which the different emphases and languages of salvation arise.[127] Understanding these assumptions in terms of the agreement already achieved can both foster reception within the churches and give clarity to the theological implications of the existing agreement.

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[126] George Lindbeck, *The Nature of Doctrine: Religion and Theology in a Postliberal Age,* (Louisville: Westminster John Knox, 1984), 16.

[127] The US dialogue is already beginning to do this. The most recent statement, *The Hope of Eternal Life*, does focus on several areas of sixteenth century disagreement but also fleshes out the shared commitments of JDDJ which illumine a greater agreement. *The Hope of Eternal Life: Lutherans and Catholics in Dialogue XI,* edited by Lowell G. Almen and Richard J. Sklba (Minneapolis, Lutheran University Press, 2011). The international dialogue is also doing so, and cites the JDDJ several times in grounding its current work, International Lutheran-Roman Catholic Commission on Unity, *The Apostolicity of the Church: Study Document of the Lutheran-Roman Catholic Commission on Unity [of] The Lutheran World Federation [and the] Pontifical Council for Promoting Christian Unity*, (Minneapolis: Lutheran University Press, 2006).

As mentioned above, one area of the JDDJ's agreement in which more explicit consideration would be fruitful is the description of a Christian anthropology. In other words, to examine the agreement that the JDDJ claims to reach regarding how God saves humans, we can attend to the remaining differences of emphasis and language, to ask what humans would have to be such that God saves them in this way. We can also ask what this means for the Christian life. The JDDJ's differentiated consensus implies both that there is a substantial agreement on central issues regarding justification and that the remaining differences do not —of themselves— require division. We should be able to deliminate both the breadth of agreement and set boundaries on acceptable differences within a Christian anthropology on the basis of the JDDJ. Two disputed questions, whether and in what sense the Christian may be called *simul iustus et peccator*, and whether concupiscence in the baptized is to be called sin as such, provide the beginnings of such an anthropology. While historically these issues are important questions in their own right, they are now capable of shedding light on the broader outlines of justification's implications for Christian life in this world.

The JDDJ and its predecessor documents interpret the remaining differences as a matter of emphasis: Lutherans intend to emphasize the priority of faith in clinging to Christ's promise, while Catholics emphasize the real effect of God's work in the believer.[128] These two theological ways of speaking begin from different starting points,

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[128] JDDJ §26-27; JF §103-4; OC §20; CRE, 53. The JDDJ itself recognizes its reliance on its sources: "Our *Declaration* is not a new, independent presentation alongside the dialogue reports and documents to date, let alone a replacement of them. Rather, as the appendix of Sources shows, it makes repeated reference to them and their arguments."(§6) The explicitly recognized sources of the document are: United States Lutheran--Roman Catholic Dialogue, *Justification by Faith*, (=JF) Lutherans and Catholics in dialogue (Minneapolis: Augsburg Pub. House, 1985); International Lutheran--Roman Catholic Commission on Unity, "All Under One Christ, 1980," (=UC) in *Growth in Agreement I : Reports and Agreed Statements of Ecumenical Conversations on a World Level*, ed. Harding Meyer and Lukas Vischer (New York: Paulist Press 1980); Vereinigte Evangelisch-Lutherische Kirche Deutschlands and Lutheran

use different criteria to judge their fittingness to the gospel, and make use of different points of reference; they therefore entail different anthropological accounts of the Christian in her eschatological and fleshly aspects, but both are attempting to reconcile these two experienced realities.

Catholics emphasize that the baptized are already united with Christ, and so by his grace a purified life is possible, if rare. Lutherans, on the other hand, emphasize the contingent nature of all human life (even that of the baptized) before the fullness of Christ's kingdom is come. This difference has many implications for theological speech and practice, although, as the JDDJ argues, these differences need not be church dividing. Lutherans uphold the present reality of Christ's grace for believers; Catholics do acknowledge that humans are still tempted to sin and are therefore not exempted from all creation's posture of awaiting the fullness of redemption.[129] Each theology must account for both the new life in Christ and the continued struggle against sin. I will argue that understanding the two theologies as differently-conceived descriptions of the same Christian experience allows each to be understood on its own terms without thereby requiring the repudiation of the other. This experience is of being named truly justified in Christ and still being aware of the distance that lies between myself and the final form of that justice. The resulting double-vision is eschatological, holding together the already and the not yet in a pattern familiar from many aspects of Christian life.

World Federation. Deutsches Nationalkomitee, "Stellungsnahme des Gemeinsamen Ausschusses der VELKD und des Deutschen Nationalkomitees des LWB zum Dokument 'Lehrverurteilungen–kirchentrennend?'," (=VELKD) in *Lehrverurteilungen im Gespräch: die ersten offiziellen Stellungnahmen aus den evangelischen Kirchen in Deutschland* (Göttingen: Vandenhoeck & Ruprecht, 1993); Karl Lehmann and Wolfhart Pannenberg, *The Condemnations of the Reformation Era: Do they Still Divide?*, (=CRE) trans. Margaret Kohl (Minneapolis: Fortress Press, 1990).

[129] Rom 8:19.

Seeing an Eschatological Reality

Throughout what follows, I will be describing the implications of the doctrine of justification for Christian life in terms of an eschatological view of that life. Eschatology has enjoyed a renewed centrality in Christian theology beginning in the early twentieth century, stemming from a growing sense that the preaching of the kingdom of God is central to Jesus' message.[130] The succeeding century saw a number of proposals for describing the relationship between the kingdom of God as preached by Jesus and the reality of Christians living in the "time between the times." Karl Barth proposed eschatology to be the center of Christian life that leaves no remainder, a decision for God's reality; Bultmann took it to mean an existential living-in-relationship with Christ.[131]

A different kind of eschatology was proposed by C. H. Dodd, which will form the basis of how I will use the term. For Dodd, the "realized eschatology" of Jesus' preaching was the breaking into history of God's action in such a way as to unite past, present, and future.[132] Eschatology must therefore account for both the data of human experience and the hope of a future fulfillment in God. An inaugurated eschatology sees the acts of Jesus' life, death, and resurrection as having inaugurated the inbreaking of the kingdom into the human world. This kingdom is known in the church's preaching, sacraments, and

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[130] So, for example, Johannes Weiss, *Jesus' Proclamation of the Kingdom of God*. trans. Richard H. Hiers and David L. Holland. (Chico, CA: Scholars Press, 1985).

[131] Karl Barth, *The Epistle to the Romans*, Edwyn Clement Hoskyns, trans (London: Oxford University Press, 1933); Rudolf Bultmann, *History and Eschatology*, (Edinburgh: University Press, 1957).

[132] C. H. Dodd, *The Parables of the Kingdom*, (London: Nisbet, 1936.)

common life, but is hidden by the continued sin and rebellion of humanity. In describing

such a complex reality, Monica Hellwig therefore argues,

> it is clear that on the one hand ultimate salvation is continuous with all aspects of human development in history, including the political, economic, and social structures in which people affirm or deny the existence and rights of others, while on the other hand ultimate salvation transcends what we can grasp with the imagination or predict by calculation or extrapolate speculatively. …This is another way of expressing the "eschatological tension" to be found in the New Testament between the "already" of the resurrection of Jesus and the consequent empowerment of the followers of Jesus on the one hand and the "not yet" of the second and glorious coming of the Lord on the other hand.[133]

Describing the lives of Christians therefore requires simultaneous attention to two

different realities. It must take ultimately seriously the proclamation of the kingdom of

God and its present effect on believers. But it cannot neglect the as-yet-unredeemed

aspects of their lives that Paul describes as "the flesh."[134] These fight against the coming

kingdom and in that sense we can truthfully call them "sin."

Another reason that attending to the difference is important is because providing

descriptions of the eschatological double-vision of Christian life has proven to be

difficult. One has to avoid the double pitfalls of antinomian paeans to Christian freedom

and Pelagian insistence on the sufficiency of the law for salvation. Both have been

continual temptations to Christians in describing the Christian life; each has proved its

enduring capacity for ensnaring those attempting to avoid the other. Insisting both that

the baptized Christian is saved by God's work *and* that she needs to be attentive to the

ongoing struggle against sin in her life requires holding in tension two descriptions about

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[133] Monica Hellwig, "Eschatology" in *Systematic Theology*, Francis Schüssler Fiorenza and John P. Galvin, eds. (Minneapolis: Fortress Press, 1991): 362–63.

[134] As in Gal 5:19 and Rom 8:5.

her very being that do not easily cohere. An eschatological anthropology, therefore, is a critical aspect of any orthodox description of justification.

Moreover, in describing these realities, Christians are holding together two things that remain in tension. Both Catholics and Lutherans have stretched language to describe what are overlapping but opposed realities. These cannot be made to be only partial descriptors, for in some sense, each exists in its entirety or not at all; they are mutually exclusive conditions.[135] The eschatological viewpoint is therefore a kind of double vision. Theologians describe two realities that logically cannot occupy the same space, but nevertheless do for now, by God's grace. As Joseph Cardinal Ratzinger argued, "here is the task of a contemporary eschatology: to marry perspectives, so that person and community, present and future, are seen in their entirety."[136]

The "already/not yet" of a Christian eschatological anthropology requires description, but this description cannot be simple. It requires the intentional and productive warping of usual language, concepts, and expression.[137] As chapter three will make clear, Robert Masson's proposal about tectonic language seeks to describe how such tension-ridden commitments provide the necessary condition for saying something

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[135] While individual sins certainly can be quantified (they are many or few, even venial or mortal), the existential condition of sin is to be divided from God, just as the condition of grace is to be in relationship with God. The two are neither compatible nor quantifiable. They are contradictory propositions. Especially in engaging the question of the simul, this point is somewhat in debate, but this is something to which I will return later.

[136] Joseph Cardinal Ratzinger, *Eschatology: Death and Eternal Life*, Michael Waldstein, trans. (Washington: Catholic University of America Press, 1988): 12.

[137] As will be argued later, a "tectonic" or "double-scope" blend is held under a kind of tension because the two terms of the blend are not easily combined according to the usual logic with the system. This tension can be alleviated over time by habituation, which risks "flattening" the tectonic possibilities of the blend and lessening its transformative power. As an example, Christian claims about Jesus's two natures are constantly at risk of losing the tension which makes them transformative, either making Jesus into an Apollinarian *tertium quid*, or making Arianism an attractive possibility. New methods of describing how Jesus' two natures can be understood by means of newer philosophical tools, such as Rahner's engagement with *Realsymbol*, can help tectonic theological prompts keep their tectonic character and not be merely subsumed into new patterns of thought in which they easily fit.

new in human language. The JDDJ's agreement articulates an understanding that Lutherans and Catholics manage this tension through different normative cognitive-linguistic "blends" or cultural-linguistic complexes in which terms come to produce meaning. In a sense, the critique that the JDDJ it is merely using language in an equivocal manner is not entirely incorrect, for several important words in the agreement, such as "sin" are used differently by the different sides of the discussion. Merely pointing this out, however, does not mean that there is no agreement. If in the process of ecumenical dialogue, theologians come to recognize in the distinctive blends of the other a theology that can be said to be truly Christian, that is, a true description of the gospel of Jesus Christ, then the churches can be said to be describing the same Christian reality in ways that are truly open to each other. In this case, a differentiated consensus neither makes the two ways of speech the same nor makes their difference unimportant. Instead, we must come to understand the systems of thought in which each tradition is sensible and only after understanding each in its own terms, judge if it is compatible with the gospel as the other expresses it.

By limiting the field of discussion to the eschatological understanding of the justified sinner, it will be possible to describe the blends by which each church holds in tension its theological commitments to describe the divine gift of justification and the human experience of (ongoing) sinfulness. This should allow a clearer explanation of the real agreement on the topic than the concision of official documents can allow, and may therefore make more widely acceptable the ecumenical insight that "the Lutheran and the

Catholic explications of justification are in their difference open to one another and do not destroy the consensus regarding the basic truths."[138]

Proclaimed Justification and the Experience of Sinfulness

Anthropology has not always seemed to be central in the justification dispute, except in the sense of the traditional question of whether justification is imputed or imparted to the individual.[139] Yet, in Lutheran and Catholic discussions of justification, each side has repeatedly critiqued a claim made by the other relating to the anthropology of the baptized Christian. Lutherans have critiqued Catholic insistence that concupiscence in the baptized cannot be called sin in the proper sense, while Catholics have suggested that the Lutheran aphorism *simul iustus et peccator* is nonsensical because a person cannot simultaneously inhabit two contradictory states of being. Rarely have theologians held these together as mirror accounts of the Christian experience, but each of these controversial modes of speech does seek to balance the effect of God's justification and the experience of ongoing human sin.

In this chapter I can only provide a brief introduction to the traditional theological language of each side and the equally traditional critique lobbied by the other. After providing a methodological introduction, each will receive fuller attention in a chapter of its own. These chapters will provide fuller history and development of the claim, situate it within the theological thought-world of its respective church, and show its importance for managing the eschatological tension present in the life of a Christian.

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[138] JDDJ §40.

[139] JF provides a brief, clear introduction to the sixteenth century dispute over justification, including the question of imputation/impartation of justice. See §§21–63.

These chapters will also explain why each theology is difficult to accept for those habituated to the thought-world of the other. For now, however, I will provide a brief history of each term and introduce the major voices in the dispute, for the purpose of introducing the reader to the ecumenical situation of difference in which the JDDJ purports to find an agreement.

Concupiscence in the Baptized

The Joint Declaration itself, especially in its earlier versions, seems to downplay the question of whether concupiscence in the baptized is, properly-speaking, sin. The term occurs only once in the early text (that is, JDDJ I), in a paragraph briefly summarizing the teaching of Trent.[140] In spite of this, or perhaps because of it, the question becomes a major theme in Lutheran responses to the document. By the final version, an entire sub-section is dedicated to the question.[141]

Part of the dispute is terminological; concupiscence has proven to be a slippery concept since its introduction as a technical theological term. The problem is compounded by the varying ways in which "sin" is conceived by Lutherans and Catholics; in addition each tradition frames its account of sin differently. Concupiscence has been used to mean several different things since at least the third century: it refers in general to desires (both ordinate and inordinate), to the unruled and sinful desires experienced by the unbaptized, and it describes a remaining tendency in the baptized that is called the "tinder" (*fomes*) of personal sin. Its translations range from "wish," through

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[140] JDDJ I, §26. In GER–DER, A.3.

[141] JDDJ, section 4.4, §§28-30.

"desire" (often with sexual overtones), to "covetousness."[142] Its use as a technical term

for something related to original sin and persisting in the Christian can be traced back to

the theological father of Lutherans and Catholics, St. Augustine of Hippo.

While Augustine uses the term to refer to a variety of kinds of desire, he always

ties it to original sin. His engagement with the subject began with an attempt to explain

the mechanism by which original sin was produced in the offspring of Christians, who

had themselves been purified of this sin in baptism. In doing so, he links concupiscence

to original sin, but argues that while baptism removes original sin's hold on the Christian,

it leaves behind a lesser residue (i.e. concupiscence) as punishment but not guilt. This

carnal concupiscence is sufficient for the progeny of a Christian marriage to "contract

original sin."[143] As evidence of the protean nature of the word, there is even a shift within

Augustine's own use of it from his earlier writings to his later anti-Pelagian works. While

in his earlier thought it is depicted as "a powerful force binding mainly on those who

have not yet received the grace of God," when combating Pelagius, concupiscence

becomes "a useful sparring partner," a reason for "daily repentance of the relatively

harmless and temporary lapses in consenting to the 'law of sin'" and a temptation that is

not in itself sinful.[144]

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[142] Desire has a complicated history in both western philosophical and Christian thought. It is therefore unsurprising that *concupiscentia* has both the potency for and a history of equivocal use. As merely one example, consider Thomas' use of the term within one question of the *Summa*, IaIIa.Q9.a2. In the *sed contra*, he quotes James saying "unusquisque tentatur a concupiscentia sua abstractus et illectus." The *ad tertium* reads "sicut philosophus dicit in I Polit., ratio, in qua est voluntas, movet suo imperio irascibilem et concupiscibilem, non quidem despotico principatu, sicut movetur servus a domino; sed principatu regali seu politico, sicut liberi homines reguntur a gubernante, qui tamen possunt contra movere."

[143] Augustine, *nupt. et conc.,* PL:44 I:414.

[144] Timo Nisula, "Continuities and Discrepancies in Augustine's View on Concupiscence and Baptism (410-30)" *Studia Patristica* 49(2007): 22-23.

Peter Lombard rejected out of hand Augustine's tentative traducianism,[145] but suggested that because the flesh of the child was "conceived in vicious concupiscence, [it] is polluted and contaminated."[146] This pollution is spread to the formerly pure soul of the child such that it becomes impure, "contracting" original sin. Thus, parental concupiscence active in conception can be said to be the cause of original sin in the unbaptized child (or more properly, in his soul), and to remain as punishment in the body of the baptized Christian.[147]

Another option for describing the transmission of original sin (and therefore the role of concupiscence) was the product of St. Thomas, who drew from St. Anselm but modified his position by retrieving aspects of the thought of St. Augustine. Because Anselm insists on the necessity of personal will for real sin, he rejects the argument that original sin as concupiscence is present in the body of a child before it has a will. Instead, original sin is understood to be the privation of original justice in the soul that is taken on as part of receiving fallen human nature.[148] Aquinas concurs, and points out that this explains why original sin is a constant despite the variable quantity of lust active in human generation.[149] Because Adam forfeited original justice, this loss is transmitted to all who share in his nature.[150] For Aquinas, then, the "concupiscence of original sin" (differentiated from other natural concupiscences such as the desire to eat, sleep, or see to

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[145] That is, his theory that original sin is contracted because the soul is generated from the souls of the parents, and therefore contracts original sin from them in this manner.

[146] Peter Lombard, *Sent.*, lib II dist. 31, cap 4. "quae concipitur in vitiosa concupiscentia, pollitur et corrumpitur."

[147] *Ibid.*, cap 6, p508 11.7–12

[148] Anselm, *De Conc Virg et de Orig Pecc,* ch 2, 7.

[149] ST I-II q.82 art 1, ad 3. This is a problem with both the traducian and the contaminative models.

[150] *Ibid.,* q.81 art 2, resp.

other bodily needs) is the product of original sin, which is the privation of original

justice. It is the remaining effect of that privation, but not the cause of its transmission.[151]

     Trent does not settle between the various accounts of the inheritance of original

sin or its precise relationship to concupiscence. It decrees only that original sin is from

Adam, present in all humans from birth (except Jesus and Mary), and is taken away by

baptism, leaving behind an inclination to sin that is called concupiscence:

> But this holy council perceives and confesses (*fatetur et sentit*) that in the one
> baptized there remains concupiscence or an inclination to sin, which, since it is left
> for us to wrestle with, cannot injure those who do not acquiesce but resist manfully
> by the grace of Jesus Christ.…This concupiscence, which the apostle sometimes
> calls sin, the holy council declares the Catholic Church has never understood to be
> called sin in the sense that it is truly and properly sin in those born again, but in the
> sense that it is of sin and inclines to sin.[152]

Here, the term is not employed, as in the early Augustine, as a metaphysical mechanism

for the transmission of original sin to the offspring of Christians. Instead, it is a

description of the remaining, albeit weakened, effect of sin that the council experiences

(*sentit*) to be present within believers and therefore acknowledges (*fatetur*) as a reality

within themselves. This inclination to sin is not itself sinful, but is "of sin" and "inclines

to sin."

     Engaging the sacramental system is also important for understanding the

Tridentine insistence that concupiscence not be called sin. For the council, baptism

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[151] *Ibid.,* q.82, art 3, resp. He does allow that original sin can be called concupiscence, but only because he understands it to be "the chief passion, … including all the others in a fashion." *Ibid*., Rep 2. Likewise, original sin is concupiscence, but only materially. It is the privation of original justice formally. *Ibid.,* resp.

[152] Trent 5th session. June 17, 1546. Canon 5. "Manere autem in baptizatis concupiscentiam vel fomitem, haec sancta synodus fatetur et sentit; quae cum ad agonem relicta sit, nocere non consentientibus et viriliter per Christi Iesu gratiam repugnantibus non valet. … Hanc concupiscentiam, quam aliquando Apostolus peccatum appellat, sancta synodus declarant, ecclesiam catholicam nunquam intellexisse, peccatum appellari, quod vere et proprie en renatis peccatum sit, sed quia ex peccator est et ad peccatum inclanat." In Tanner, II: 667.

frames the question of whether concupiscence can properly be called sin. This understanding also presupposes a particular understanding of sin, that is, as personal guilt that deserves division from God, which requires the action of the will. If concupiscence were to be called sin, it would both render baptism ineffective and God unjust, for the newly baptized Christian would remain in a state of separation from God through a guilt that they had received without the cooperation of their will.

Lutherans have been skeptical of this distinction from the beginning of their engagement with the Council of Trent. Martin Chemnitz describes his disagreement with the conciliar decree in terms of a distinction between the common usage of the word "sin" and the pronouncements of the divine law. He agrees that according to the common usage, concupiscence cannot be sin if it is resisted, because it does not impute guilt according to secular means of judging. This description he connects to Augustine's definition. Against this, he describes what he calls Paul's description of the "pronouncement of the divine law" regarding Rom 7:7 (almost as a gloss on Matt 5:27–28), by which the internal temptation, although resisted, is already itself sinful. While all would certainly agree that this tendency will be purified out of the saints in heaven, its continued presence in the baptized requires description. Chemnitz insists that this concupiscence is sin (in the sense that it is something that remains to be purified). He does not argue that it overcomes Christ's justification. What Catholics call mortal sin, that is, sin that overcomes Christ's justification, Chemnitz argues is still a reality in the world to be distinguished from concupiscence in the Christian.[153]

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[153] Martin Chemnitz, *An Examination of the Council of Trent*, translated by Fred Kramer, (St. Louis: Concordia, 1971), 345–49.

Another major influence on Chemnitz's argument that concupiscence must be

called sin is his reverence for the biblical text. The Vulgate has for Romans 7:7: "Quid

ergo dicemus? lex peccatum est? Absit. Sed peccatum non cognovi, nisi per legem: nam

concupiscentiam nesciebam, nisi lex diceret: Non concupisces." This is also the

translation in Exodus 20:17, and Deuteronomy 5:21.[154] Chemnitz takes Paul's quotation

of the law saying *non concupisces* as a straightforward proof that concupiscence must be

called sin, for it is forbidden by the law.[155] He does not consider that post-baptismal

concupiscence and covetousness might be theologically distinguishable, or that Paul, in

Romans 7, might not be seeking to answer the same question as the conciliar decree.

Chemnitz's commentary on the Council of Trent sets the Lutheran party line and is still

recognizable in several responses to the Joint Declaration.

Simul Iustus et Peccator

Like concupiscence in the baptized, the question of *simul iustus et peccator*

impinges on the definition of sin and its theological framing. It also has a somewhat

complicated history. Almost all biblical sources divide Christians' lives between sin and

justice temporally, as "*having been* 'once' sinners and *are* 'now' righteous, after they

have come to Jesus Christ through the preaching of the Gospel and received the

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[154] Exodus: "Non concupisces domum proximi tui, nec desiderabis uxorem ejus, non servum, non ancillam, non bovem, non asinum, nec omnia quæ illius sunt."
Deuteronomy: "Non concupisces uxorem proximi tui: non domum, non agrum, non servum, non ancillam, non bovem, non asinum, et universa quæ illius sunt." It is interesting that at least in Exodus, *concupiscere* is applied to the neighbor's house, while *desiderere* is applied to his wife, suggesting a decoupling of the concept from sexual desire.

[155] Chemnitz, 323.

forgiveness of sins through baptism in the name of Jesus."[156] The First Epistle of John

provides the single counter example, according to Ulrich Wilckens.[157] There are typically

Lutheran exegeses of Romans 7 and Galatians 5 that can allow the *simul,* but these are far

from universal readings. Even Paul, on whom Lutheran accounts of justification are

particularly dependent, does not provide reason for grounding the *simul* in his writings,

unless Romans 7 is interpreted against much of contemporary scholarship.[158]

The maxim finds its beginning in Luther's writings, but becomes an important

Lutheran theme only in the twentieth century, perhaps because it meshes so well with the

idea of dialectic.[159] Otto Hermann Pesch argues that in Luther, the formula, which finds

its earliest expression in the *Lectures on Romans* (1515-1516), but draws on ideas present

already in the early *Lectures on the Psalms* (1513–1521), is primarily a pastoral method

of speaking of the alien character of righteousness in the framework of an eschatological

hope. This method purports

> to break any pride in a personal justice and to describe the situation of the not-
> finally-determined struggle in which Christian life takes place: bridged by God's

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[156] Ulrich Wilckens, " 'Simul iustus et peccator' in Joh 1:5–2:2" in *Gerecht und Sünder zugleich: Ökumenische Klärungen*, 82–91 inTheodor Schneider and Guntehr Wenz, eds. (Freiburg im Breisgau: Herder, 2001), 82. Emphasis original. "Christen *waren* 'einst' Sünder und *sind* 'jetzt' gerecht, nachdem sie durch die Verkündigung des Evangeliums zum Glauben an Jesus Christus gekommen sind und in der Taufe auf den Namen Jesu Christi Vergebung der Sünden empfangen haben."

[157] Ibid.

[158] Thomas Söding, "Die Rechtfertigung der Sünder und die Sündern der Gerechtfertigten" in Schneider and Wenz, 80–81. Interestingly, precisely Romans 7 is cited in the JDDJ section on the simul: "at the same time righteous and sinner." Believers are totally righteous, in that God forgives their sins through Word and Sacrament and grants the righteousness of Christ, which they appropriate in faith. In Christ, they are made just before God. Looking at themselves through the law, however, they recognize that they remain also totally sinners. Sin lives in them (1 Jn 1:8; Rom 7:17, 20), for they repeatedly turn to false Gods and do not love God with that undivided love which God requires as their Creator (Deut 6:5; Mt 22:26-40 par.)" JDDJ §29.

[159] Otto Hermann Pesch, "Simul iustus et peccator" in Schneider and Wenz, 147–48.

total application of a non-reckoning [of sin] and built on the hope of the final overcoming of sin by the eschatological gift of justice.[160]

The usual theological problem with the formula is a logical one: since Aristotle, it has been widely accepted that "two contradictories cannot coexist in the same place from the same point of view."[161] This leaves three possibilities of interpretation: first, that the *simul* is contradictory, and therefore wrong. Second, that it should be understood as a kind of progression in which sinfulness drains away over time, being forced out by justice. Finally, one can argue that the Christian is sinner and saint from different points of view, i.e. in terms of God's judgment and in terms of his own merits. The first of these would most clearly line up with the typical Catholic reaction, while Lutheran theology has argued about the proper interpretation of the maxim in making a distinction between a *partim-partim* interpretation (the second) and a *totus-totus* interpretation (the third).[162] This distinction of positions and the disagreement between them is an important point, to which we will return at length in chapter five. It also has important interactions with the Catholic position, particularly regarding to what extent the Lutheran position is able to use language of a growth in justice by God's gift before the final, eschatological perfection of the person.

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[160] Pesch, "Simul iustus et peccator," 153. "Der Sinn der Formel, zusammengefasst, ist also hier : den Stolz auf jede eigene Gerechtigkeit zu brechen und die unabgeschlossene Kampfsituation des Christseins herauszustellen: überbrückt durch Gottes total geltende Nicht-Anrechnung und ausgerichtet auf das Hoffnungsgut der endgültigen Überwindung der Sünde durch die eschatologische Gabe der Gerechtigkeit."

[161] The maxim is from Aristotle, *Metaphysics*, Book IV, 1007β – 15. Thomas Aquinas affirms it in his *Commentary on Metaphysics Book IV,* §611. Bonaventure also affirms the maxim, but George Tavard argues that his theology is nevertheless consistent with the intent of the *simul.* Tavard, *From Bonaventure to the Reformers*, (Milwaukee: Marquette University Press, 2005), 63–84. These ideas will return in chapter 5.

[162] This third can also be described as an eschatological reality, or as a tectonic blend. These ideas will be taken up in chapters 5 and 3, respectively.

The typical Catholic discomfort with the aphorism is demonstrated quite clearly in the official "Response of the Catholic Church to the Joint Declaration of the Catholic Church and the Lutheran World Federation on the Doctrine of Justification."[163] Here, after affirming that "a high degree of agreement has been reached," the PCPCU and the CDF write:

> The major difficulties preventing an affirmation of total consensus between the parties on the theme of Justification arise in paragraph 4.4 *The Justified as Sinner* (nn. 28-30). Even taking into account the differences, legitimate in themselves, that come from different theological approaches to the content of faith, from a Catholic point of view the title is already a cause of perplexity. According, indeed, to the doctrine of the Catholic Church, in baptism everything that is really sin is taken away, and so, in those who are born anew there is nothing that is hateful to God (DS 1515). It follows that the concupiscence that remains in the baptized is not, properly speaking, sin. For Catholics, therefore, the formula *"at the same time righteous and sinner"*, as it is explained at the beginning of n. 29 (*"Believers are totally righteous, in that God forgives their sins through Word and Sacrament ... Looking at themselves ... however, they recognize that they remain also totally sinners. Sin still lives in them..."*), is not acceptable.
>
> This statement does not, in fact, seem compatible with the renewal and sanctification of the interior man of which the Council of Trent speaks (DS 1528, 1561). The expression "Opposition to God" (*Gottwidrigkeit*) that is used in nn. 28-30 is understood differently by Lutherans and by Catholics, and so becomes, in fact, equivocal. In this same sense, there can be ambiguity for a Catholic in the sentence of n. 22, "…*God no longer imputes to them their sin and through the Holy Spirit effects in them an active love*," because man's interior transformation is not clearly seen. So, for all these reasons, it remains difficult to see how, in the current state of the presentation, given in the Joint Declaration, we can say that this doctrine on "*simul iustus et peccator*" is not touched by the anathemas of the Tridentine decree on original sin and justification.[164]

Protestants have also seen the formula as providing a dividing line among the confessions: "the expressed paradox is supposedly a particularly telling explanation of the difference between Protestant [*evangelische*] and Catholic teaching on justification

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[163] CDF and PCPCU, "Response to the JDDJ," *Clarifications*, §1.

[164] Ibid., §1. English from source in n. 102.

and, for that reason, the *simul* may be inacceptable to Roman Catholicism."[165] Clearly,

the motto requires theological clarity, for, like the question of the character of post-

baptismal concupiscence, both sides see it as a potential, real theological divide that gets

to the heart of the division.

One clarification is in order at this point. As previously noted, several recent

theological engagements with the *simul* have argued that its importance in Lutheran

theology is fairly recent, specifically representing a reappropriation of Luther's work that

fits particularly well with the concerns of twentieth-century dialectical theologies.[166]

Such arguments are not uncommon in contemporary Lutheranism. Some scholars have

sought to discover an authentically sixteenth-century Luther differentiated from the "neo-

Kantian" Luther that they see in the writings of the Luther Renaissance. This research has

led to a richer, more complex view of the reformer, and to a very interesting question

about the role of tradition and development within Lutheranism. One can neither entirely

neglect the importance of Lutheranism's formative century, documents, and thinkers,

because of the confessional belief that the Gospel was given particularly clear expression

in these places. Nor can one discount theological development entirely, seeking a

repristinated, sixteenth-century Lutheranism in the contemporary world, because the

theological questions have shifted in response to a different ecclesial and secular

landscape. The contemporary ecumenical dialogues are dialogues between contemporary

churches that have developed since the sixteenth century. Sometimes these developments

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[165] Wolf-Dieter Hauschild, "Die Formel 'Gerecht und Sünder zugleich' – Eine Entdeckung des 20. Jahrhunderts" in Schneider and Wenz, 304. "die damit ausgesagte Paradoxie besonders treffend den Unterschied zwischen evangelischer und katholischer Rechtfertigungslehre ausdrücke und dass deshalb die simul-Formel für den römischen Katholizismus inakzeptabel sei."

[166] Ibid. and Otto Hermann Pesch, "Simul iustus et peccator: Sinn und Stellenwert ener Formel Martin Luthers Thesen und Kurzkommentare," in Schneider and Wenz, 146–167.

have brought them closer together, sometimes driven them further apart. Further complicating matters is that particular theological streams have diverged within the communions; theologically, some Lutherans have more in common with some Catholics than with other members of their own churches. This makes describing an authentic Lutheranism or an authentic Catholicism a somewhat difficult task, especially for an outsider.

I am not a Lutheran theologian, although I am familiar with both its roots and its theological movements in the present. It would, therefore, be inappropriate for me to argue in this work that a particular Lutheranism is the most authentic theological heir to the tradition or the only real Lutheran theology. I will seek to elucidate the Lutheran theology expressed in the JDDJ. Because this theology has not been without controversy, I will show how it sees itself as an expression of Lutheran commitments and as speaking for the Lutheran tradition. This may, at times, require arguing on its behalf, which I will attempt to do in concord with the document itself, in light of the rich conversation that LWF Lutherans had leading up to and following its signing. In this, I will be following the Joint Declaration itself, which does not claim to withdraw the condemnations of the sixteenth century from all contemporary Lutherans and Roman Catholics; instead the churches proclaim through it that the sixteenth-century condemnations do not impinge on the doctrine of the other church *as represented in the agreement of the JDDJ itself.* This is a responsible theological move, as it is limited enough to be realized, does not impinge on the theological freedom of any particular Lutheran or Roman Catholic, but leaves the sixteenth century condemnations standing as "salutary warnings," signposts at the borders of orthodoxy to warn those who would trespass that boundary.

Chapter Conclusion

In this chapter, I have provided a brief introduction to the development of the Joint Declaration on the Doctrine of Justification within the ongoing Lutheran–Roman Catholic dialogues as well as two types of critique that the JDDJ has received. The next chapter will provide a more extensive introduction to the question of ecumenical hermeneutics in order to frame the question of the viability of differentiated consensus. Differentiated consensus has proved to be an ecumenically viable method. It represents the widespread experience that commonality can be recognized in difference once a relationship of mutual listening has been established. Nevertheless, the method has also proven unconvincing to many who have not themselves been part of the conversation and mutual conversion that dialogue entails. Chapter three will therefore bring the engagement with cognitive linguistics, as recently proposed by Robert Masson for understanding theological difference, to bear on the questions raised by chapter two. This engagement with how theological meaning is made in human language and history can provide a much-needed theoretical underpinning for the ecumenical experience described by George Lindbeck in which dialogue members

> say they have been compelled by the evidence, sometimes against their earlier inclinations, to conclude that positions that were once really opposed are now readily reconcilable, even though these positions remain in a significant sense identical to what they were before. … [T]he problem is not with the reality but with the comprehensibility of this strange combination of constancy and change, unity and diversity. The proper response in that case is not to deny the reality on the grounds that it seems impossible, but rather to seek to explain its possibility.[167]

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[167] Lindbeck, *The Nature of Doctrine*, 15.

This form of analysis will also provide a method of clarifying the key insights of the dialogues to those who have not yet entered into the conversation in which they become intelligible. Having brought these tools forward, they can then be applied to the question of post-baptismal anthropology. Chapters four and five will engage the question of an eschatological anthropology directly as both a contribution to the project of mutual understanding and as a test case to show the intelligibility of differentiated consensus in the JDDJ.

CHAPTER TWO:
TRUTH, CONSENSUS, AND THE ECUMENICAL WAY

Chapter Introduction

The Joint Declaration on the Doctrine of Justification is a unique document. Arising out of the bilateral dialogue between the Lutheran and Roman Catholic churches, it has been officially affirmed in a way that the results of no other western bilateral dialogue have been. This leads to some difficulties of interpretation that we have already encountered in the previous chapter. Some of these difficulties arise from the differences of genre and reception between the bilateral dialogues and the Joint Declaration. Dialogue documents are the products of the appointed commissions, proposed to "the appropriate church authorities as the outcome of the commission's work … for thorough study."[1] The Joint Declaration, while arising from these dialogues, and itself having been produced through similar structures of joint panels of theologians proposing texts to the church, had a very different reception process. It is an official declaration of the Roman Catholic Church and the Lutheran World Federation, properly speaking.[2] The difference between bilateral dialogue statements and the JDDJ can be noted in the ways in which they are made public. The dialogue documents, while officially published (on the Roman

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[1] Malta Report, Preface. In *Growth in Agreement I*, 168. Similarly, *Church and Justification* proposes its work to the churches as furthering the work of earlier dialogues and with them constituting a question to the churches: "whether, taken together, these documents constitute the sufficient consensus which would enable our churches to embark upon concrete steps towards visible unity which have become more and more urgent." JC, Foreword, in *Growth in Agreement II, 486–87*.

[2] This point was also made by Robert W. Jenson in the lead-up to the signing of the JDDJ, albeit before the JDDJ had been signed, and expressing frustration to format of the Official Vatican Response. That the document was later signed by precisely the Roman dicasteries with whom he is expressing frustration, on behalf of the entire Catholic Church, only strengthens the point. "On the Vatican's 'Official Response' to the Joint Declaration on Justification," *Pro Ecclesia* 7 no. 4 (1999):401–404.

Catholic side) in the PCPCU's *Information Service,* are not received in a strong sense.[3]

They are always accompanied by a theological evaluation by another theologian who

may respond negatively to their content or raise questions about their claims. At times,

Vatican dicasteries have determined that particular dialogue papers were too far-reaching

in their description of having reached a consensus or agreement.[4] Lutheran bodies have

officially received dialogue documents, but no document has been confirmed "in its

entirety" or by the entire Lutheran World Federation.[5]

The JDDJ, in contrast, is properly a declaration of the Roman Catholic Church

and the Lutheran World Federation. It is not merely proposed to the churches; it has been

received by them at their highest levels for the purpose of making a common, binding

decision.[6] Properly speaking, the decision made in the JDDJ is this:

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[3] The reception they receive through this publication is akin to that which official reports of sub-committees receive when they are "received" in the minutes, that is, officially acknowledged without necessarily accepting their findings on behalf of the larger organization. The process of reception in the Roman Catholic Church, including the roles of the PCPCU and the CDF, is described in Joint Working Group, Roman Catholic Church and World Council of Churches, *Reception: A Key to Ecumenical Progress,* (Geneva: WCC, 2014), §39. The Lutheran process is described in §41, which notes that the "LWF recognizes the need for better structures of ecumenical reception."

[4] The famous example of this is, of course, the response which the first round of the ARCIC dialogue received from the CDF. This exchange is available in Jeffrey Gros, E., Rozanne Elder, and Ellen K. Wondra, eds., *Common Witness to the Gospel: Documents on Anglican-Roman Catholic Relations 1983–1995,* (Washington, D.C.: United States Catholic Conference, 1997).

[5] So, for example, the US national dialogue's study document, JF, was officially affirmed by the ELCA Council in 1991. Radano, *Reconciliation on Justification,* 132.

[6] JDDJ §4. As Catherine Clifford notes, "to take these binding decisions, the full authority of each ecclesial polity was engaged in a process of discernment and critical judgment. Historical expressions of faith were reassessed in the face of contemporary agreement." "The Joint Declaration, Method, and the Hermeneutics of Ecumenical Consensus," *Journal of Ecumenical Studies* 38, no. 1 (2001): 81. Not all observers agree, the chief example being the introduction of Christopher M. Malloy, *Engrafted into Christ: A Critique of the Joint Declaration,* (New York: P. Lang, 2005), 1–15.

Malloy's argument hinges on the Catholic signatory being the PCPCU, and therefore commanding no assent from the faithful. Therefore, "because the JD[DJ] does not have doctrinal authority, Catholic theologians can freely consider it their responsibility to examine the viability of the claims made therein." (Ibid., 5). This seems to be an argument with insufficient subtlety regarding the kinds of claims which can be made by the church regarding belief. Teaching does not neatly divide into "infallible claims" and "open questions." Malloy fails to account for the actual history of the JDDJ in which the CDF at its highest levels was involved in the production of the text and its signing was done with papal approval, and referred to by Pope John Paul II as an action of the Catholic Church. (See Radano, 180–82, 192–95.)

'The understanding of the doctrine of justification set forth in this *Declaration* shows that a consensus in basic truths of the doctrine of justifications exists between Lutherans and Catholics' (*JD*[DJ] no. 40). On the basis of this consensus the Lutheran World Federation and the Catholic Church declare together: 'The teaching of the Lutheran Churches presented in this *Declaration* does not fall under the condemnations of the Council of Trent. The condemnations in the Lutheran Confessions do not apply to the teaching of the Roman Catholic Church presented in this *Declaration*' (*JD*[DJ] no. 41).[7]

Notice that the Official Common Statement, that affirms the text of the JDDJ "in its entirety,"[8] is making an ecclesial judgment based on the theological findings of a "consensus in basic truths" expressed in the JDDJ. As the previous chapter illustrates, much of the negative response that the JDDJ received was directed at this consensus in basic truths. In part, this is because there is a real ecumenical question about what "consensus" means, to whom it applies, and what it means for the churches going forward. The work of this chapter is to begin to address this question. As the ecumenical discussion is seeking not merely agreement, but agreement in the truth of the gospel, I will begin with a brief introduction to the questions of how consensus and truth interrelate.

A three-fold distinction within the term "consensus," (or, properly, *Konsens*) has become important within the ongoing discussion of ecumenical consensus. This distinction, between *Zustimmung, Übereinstimmung*, and *Übereinkunft,* was first suggested by Wolfgang Beinert. I will begin by describing these three categories;

This does not make the document infallible or irrefutable, but should prompt the Catholic theologian to approach it in a way that seeks to understand it on its own terms, and to make as much room as possible for its conclusions. It is not proposed to Catholic theologians as a topic for further study, or in Malloy's words as a proposal to be examined to see *if* it is viable. Rather, it was accepted on behalf of the Catholic Church precisely because those responsible have found it to be viable. In other words, it might deserve a kind *obsequium religiosum,* that would not prevent Malloy or others from pointing out areas in which the document needs improvement. While not unimpeachable, the document understands itself to have much more weight than Malloy suggests. See p. 233.

[7] Official Common Statement, §1.

[8] Ibid., after §3.

Übereinkunft is what most authors understand to be at stake in the quest for church unity. There is, however, quite a breadth of opinion regarding how much agreement is necessary for union, or even is possible between confessions. I will therefore next describe three positions regarding how *Übereinkunft* relates to the project of ecumenical reconciliation. These will be represented by engagements with the JDDJ published by Daphne Hampson, Ulrich H.J. Körtner, and Ingolf U. Dalferth.

A somewhat different understanding of consensus has arisen out of the experience of the dialogues, termed "differentiated consensus" by Harding Meyer and further developed by Minna Hietamäki. This term names a consensus in the truth that is possible between two communities who make use of different logics or metaphorical systems. It is a differentiated consensus that is said to exist in the JDDJ, although the term itself is not employed in the document. A reader will need to understand how such a consensus operates in order to be able to engage its truth claims profitably. As shown in the first chapter, many readers of the JDDJ seem to interpret the document's claims only after having decided that a differentiated consensus is no true consensus. They therefore believe it to be merely equivocating between two different and irreconcilable positions.

Admittedly, the declaration of a differentiated consensus attempts to describe the experience of recognizing unity in apparently contradictory statements. The difficulty in recognizing such an agreement should prompt us to ask if it is truly possible and how it could be explained. This question has not yet received an adequate answer, although George Lindbeck's cultural-linguistic proposal sought to do so. That proposal will, therefore, provide a starting point for our further considerations. This chapter will engage his proposal and describe some areas in which further development will be helpful.

Taken together, these various investigations into ecumenical consensus will highlight the importance that theological culture and ecclesial language play in understanding the JDDJ, any unity in Christian truth, and the quest for the final unity of the churches. This chapter will serve to highlight the questions that the ecumenical project raises in light of the critiques of the JDDJ introduced in chapter one. It will show that explanations of "consensus with difference" need a clearer understanding of how culture and language produce meaning in order to be compelling to those who have not directly experienced the insight with which Lindbeck begins his book.[9] Decades of ecumenical dialogue have repeatedly produced situations in which participants find compatibility between particular historic differences that were thought to contradict each other. The reception of these insights in the broader church will require a subtler consideration of consensus and truth; it is to making this question clearer that we now turn.

Truth and Consensus

The church's unity is a unity in the gospel; this implies a unity in the truth. Among religions, Christianity is perhaps uniquely focused on agreement in the truth as a necessity for unity. The difficulty of providing a satisfactory answer to the questions, "who is Jesus?" and "how does he save?" has, since the patristic era, defined the boundaries of Christianity more in terms of particular articulations of the truth than in terms of particular sociological, cultic, or even ethical patterns. In addition, the intrinsic theological connection between the church and the Body of Christ requires an

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[9] See chapter one, p. 71.

explanation for ecclesial division. The church must be one in Christ; a divided celebration of the eucharist is not theologically tenable. Historically, the problem was solved by treating any division as complete. Reformation-era theologians and their successors were generally willing to see those across the borders of church-dividing questions as merely "not-church," that is, as heretics and schismatics. Such a ruling has the benefit of consistency and of being relatively easy to wield as an ecclesiological principle, but several important shifts in the contemporary world have made it less tenable than it was even a century ago.

Of these, the largest shift is perhaps the ecumenical moment of recognizing in the other something that can be truthfully called "church."[10] Several cultural currents contributed to this realization. Among them, the growth of an historical awareness is central. As in the nineteenth century the history of the scriptural texts came to be studied and theologians sought to understand them in their own proper settings, so in the twentieth this historical awareness was applied to the church and its confessions. The church's creedal statements, the Reformation disputes, and the doctrinal positions that had hardened into anathemas and confessions each bears a history that affects its proper interpretation. The contemporary conversion to an ecumenical outlook did not occur in a vacuum; it is situated within a broader discussion regarding the nature of truth,

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[10] One can point, for example, to the Second Vatican Council's major shift of perspective regarding the Protestants, seeing in them not merely individual schismatics who may belong to the true church individually and imperfectly because of their baptisms, (as under CIC 1917, can. 12), but "separated brethren" whose communities are, even if not all are fully "churches," are actually "ecclesial" (UR §19). Furthermore, their "liturgical actions" are not merely empty ceremonies (as a reading of, for example, *Apostolicae curae* might suggest) but actual loci of God's grace, "capable of giving access to the community of salvation" (UR §3).

particularly regarding in what sense it can be known by humans. Engagement with this question has been developing through both the modern and postmodern eras.[11]

As Christian unity is unity in the truth and the Western divisions of the church are the result of traumatic disagreements over doctrine, it is clear why "consensus" has been an incredibly important word in recent ecumenical theology. Consensus in the truth is the antidote to division, even if healing long-standing breaks in communion will also require cultural, interpersonal, and ecclesial re-membering.[12] The limits of theological diversity are neither easily defined nor unimportant in navigating the contemporary situation of disunity. Several kinds of questions arise. From most concrete to most abstract, one can ask, "what theological topics require consensus?" "how much agreement on these topics is necessary for consensus?" "how is this agreement demonstrated or known?" and "what is the relationship between doctrine and truth?"

In light of these questions, several lines of inquiry have developed. First, the language about consensus itself has become differentiated. The literature speaks of a basic consensus, or a developing consensus, and in more recent documents, a "differentiated consensus" in which a central agreement is explained in terms of seemingly differing positions taken by each side, with at least the intention that these do not violate the central agreement.[13] Second, a developing field of ecumenical hermeneutics has grown up, often drawing from concerns about truth and plurality that

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[11] This section can merely gesture towards where potential problems lie. These questions will be dealt with in more depth as they impinge on the more focused questions of the dissertation. For broader engagements with this question, see bibliography at n. 21 of this chapter.

[12] I am in debt to Richard J. Barry IV, for this very apt phrase.

[13] Harding Meyer, "Ökumenischer Konsens als 'differenzierter Konsens': Die Prägung einer Formel. Ursprung und Intention," in *Versöhnte Verschiedenheit III*, (Frankfurt/M: Otto Lembeck, 2009), 41–62.

arose in the postmodern critique. In practice, it is difficult to disentangle the one from the other; the more concrete questions already assume the more abstract. One cannot really answer which doctrines are necessary for unity without attempting to answer how one would relate those doctrines to divine truth in the contemporary situation of difference and division in the church.

In particular, the notion of differentiated consensus must be located within a larger conversation about the definition and possibility of consensus, even in relation to Pilate's question, "what is truth?"[14] Consensus has been engaged mostly by way of considerations of hermeneutics, which is understandable, but this approach tends to emphasize the cognitive, textual aspects of church life and teaching, since hermeneutics arises as a discipline from questions of textual interpretation. An emphasis on hermeneutics can downplay the interpersonal aspects of dialogue. The recognition of the church in the other forms the center of the modern ecumenical project. I will therefore return to this important question after a brief engagement of the hermeneutical responses to consensus. Just as the Gospel of John criticizes Pilate for not recognizing truth in the person who sits before him, ecumenical dialogue is not capable of reaching its goals without learning to discern the Body of Christ in the separated brethren.

First, however, it is helpful to be specific about what we mean when we speak of consensus. The German-language literature on ecumenical consensus, in particular, makes use of a tripartite division in understanding *Konsens* (consensus or consent). This distinction derives from a 1989 article by Wolfgang Beinert.[15] In a section entitled "Was

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[14] Jn 18:38, NAB.

[15] Wolfgang Beinert, "Möglichkeit und Umfang ökumenischer Konsense. Eine historisch – theologische Studie zur 'Grundkonsens'-Problematik," *Catholica* 1989, no 4 (1989): 268–94. It was also reprinted under the same title, 56–77 in Andre Birmelé and H. Meyer, eds. *Grundkonsens-Grunddifferenz.*

ist Konsens?" Beinert differentiates between consensus understood as *Übereinstimmung, Zustimmung,* and *Übereinkunft*. These are difficult terms to disentangle for the English reader. There is an inexact overlap between the English "consensus" and the German "*Konsens.*" *Zustimmung*, for example, would usually be translated as "consent" instead of "consensus." On the other hand, all three terms can be translated as "agreement," "accord," or "consensus" depending on context. As there is both overlap and difference between the languages, translating these terms into English does not clarify the question. Moreover, other differentiations regarding consensus will arise later in the chapter. Therefore, to prevent further confusion, I will use the German terms when referring specifically to Beinert's distinction or the understandings of consensus that arise from it. I will also provide an etymological description of each term at the beginning of my engagement with it, in order to help the reader keep them separate.

Consensus as *Übereinstimmung, Zustimmung,* and *Übereinkunft*

Übereinstimmung

The German word *Übereinstimmung* carries the sense of overall agreement, that is, of all voices (*Stimmen*) being in concord. Building on Plato and Aristotle, Beinert describes *Übereinstimmung* as common human agreement; at its most basic this can be merely the commonly held assumptions of the many. Such agreement is not itself a

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Studie des Strassburger Instituts für Ökumenische Forschung, Ergebnisse und Dokumente, (Frankfurt a.M.: Lembeck, 1992).

Ingolf Dalferth credits E. Arens for the distinction, in a 1999 talk entitled "Müssen wir uns überhaupt verständigen? Relevanz und Reichweite kirchlichen, ökumenischen und interreligiösen Konsens," (Zurich: September 11, 1999,). This talk was published as "Müssen wir uns überhaupt verständigen? Relevanz und Reichweite gesellschaftlichen und kirchlichen Konsenses," *Orientierung* 64 (2000): 88-93. Arens credits Beinert for the insight.

reason for belief, but may provide the starting point for rhetoric as a common ground on

which to engage an audience.[16]

At a higher level, it can mean the agreement "of all (reasonable) people in the

truth, on the basis of a [shared] human nature."[17] It is sometimes therefore extended to

denote the transcendental basis of Christian belief:

> The consensus in faith is a sign that the Holy Spirit is the Spirit of unity and love, is present, and that the church stands therefore in unity with the will of God, and recognizes this reality with praise (vertical dimension). This, however manifests itself in the historical homophony of the congregation (horizontal dimension), which stands in agreement [*Übereinstimmung*] with the universal church (synchronic dimension) and with prior generations (diachronic dimension). The church values both discerning [*feststellen*] and defining [*festlegen*] this consensus. This discernment happens through investigating the unity of faith with the Christian people (*consensus fidelium*), of qualified witnesses of the past (*consensus patrum*), and of experts (*consensus theologorum*). Fixing the definition [*Die Fest*legung] happens through fixing the consensus in specific formulas (statements of faith, dogmas, confessions, etc.), – and through defined uses of language.[18]

Here the consensus at stake contains both the official, received actions of the churches

(e.g. conciliar definitions), and the communal recognition that is the basis of the

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[16] Of course, this is a much more complicated topic than can adequately be engaged here. In briefest of outlines, regarding moral conduct, Aristotle is held up as arguing that "that which everyone thinks really is so," (*Nicomachean Ethics*, X.2.1173a. David Ross, trans.) and therefore as seeing consensus as a just reason for belief, while Plato is often described as holding consensus, even that of the gods, to be merely contingent historical fact and not a reason to believe something to be true. See Jyl Gentzler, "The Attractions and Delights of Goodness," *Philosophical Quarterly*, 54 no. 216 (2004): 353–67.

[17] Beinert, "Möglichkeit und Umfang," 273.

[18] Ibid., 274. "Der Konsens im Glauben ist Zeichen dafür, daß der Heilige Geist als Geist der Einheit und der Liebe gegenwärtig ist und daß die Kirche darum in Einheit mit dem Willen Gottes steht und dessen Wahrheit preisend anerkennt (vertikale Dimension). Das aber manifestiert sich in der geschwisterlichen Homophonie der Gemeinde (horizontale Dimension), die in ihrem Glauben allerorten (synchrone Dimension) zugleich in Übereinstimmung mit dem Glauben der vergangenen Generationen (diachrone Dimension) steht. Die Kirche legt Wert darauf, diesen Konsens festzustellen und festzulegen. Die *Feststellung* geschieht durch die Eruierung der Glaubenseinheit mit dem christlichen Volk (consensus fidelium), den qualifizierten Zeugen der Vergangenheit (consensus patrum) und den Experten (consensus theologorum). Die Fest*legung* geschieht durch die Fixierung des Konsenses in bestimmten Formeln Glaubenssätzen, Dogmen, Bekenntnisschriften usw.) – also durch eine Sprachregelung."

Vincentian canon.[19] This higher meaning has much in common with the *sensus communis*

described by Hans-Georg Gadamer, that is, the common aesthetic sense of a people or

nation, or even of all humanity, which is the ground of a kind of truth.[20] In this sense,

then, theological consensus of the first kind, *Übereinstimmung*, is a different kind of

reasoning than is present in the sciences, but one that is nevertheless rooted in a real

engagement with the world. It is no surprise, perhaps, that Gadamer's primary examples

of post-enlightenment thinkers for whom the *sensus communis* is an important category

are pietist theologians.

Here, the *sensus communis*, or indeed *Übereinstimmung*, is a kind of return to

metaphysics by which the community is able to judge the fittingness of particular truth

statements, or in its lesser manifestations, to rule out unfitting statements from among

propositions arrived at by other methods of judgment.[21] In the ecumenical conversation,

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[19] That is, true Christian doctrine is attested "semper, ubique, et ab omnibus" a principle that Vincent of Lérins' augments with a second describing the growth of Christian doctrine in continuity with what preceded it. Both are found in Vincent's *Duo Commonitoria*, (Migne *PL* 50.0640; 0667–68). Robert B. Eno has located Vincent's concern for the past within a complex of authorities, related also to the See of Rome, in "Consensus and Doctrine: Three Ancient Views," *Eglise et theologie*, 9 no. 3 (1978): 473–83. Gerald O'Collins also describes its relationship with magisterial and communal norms, "Criteria for Discerning Christian Traditions," *Science et Esprit* 30 no. 3 (1978): 295–302. For a thoughtful recent engagement with the question of development, consensus fidelium, and the Vincentian canon, see Thomas G. Guarino, "Tradition and Doctrinal Development: Can Vincent of Lérins Still Teach the Church?," *Theological Studies* 67(2006): 34–72.

[20] Hans-Georg Gadamer, *Truth and Method*, (New York: Seabury, 1975): 19–29. The idea of the *sensus communis* comes from Kant's third critique. Imanuel Kant, *The Critique of Judgement,* (Oxford: Clarendon Press, 1952).

[21] Gadamer, 29. The idea of a return to metaphysics has received widespread application among theologians, and indeed from John Paul II in his encyclical *Fides et ratio* (September 14, 1998). Important recent engagements with the question include Matthew Levering, *Scripture and Metaphysics: Aquinas and the Renewal of Trinitarian Theology,*(Malden, Mass: Blackwell, 2004); Thomas G. Guarino, *Foundations of Systematic Theology*, (New York: T&T Clark, 2005); Neil B. MacDonald, *Metaphysics and the God of Israel*, (Ada, Mich.: Baker Academic, 2007); D. Stephen Long, *Speaking of God: Theology, Language and Truth*, (Grand Rapids: Eerdmans, 2009); and Thomas Joseph White, *Wisdom in the Face of Modernity: A Study in Thomistic Natural Theology*, (Washington, DC: CUA Press, 2009). This is an interesting question well worth the attention it is receiving. A complete constructive ecumenical hermeneutics would want to give it extended attention; however, it remains of secondary importance to the present discussion. While some observers of the JDDJ find its project to be self-contradictory, those engaged in dialogue have found sufficient commonality to declare that consensus exists. The project of this dissertation is making that

Übereinstimmung has a role to play as a common inheritance to which the divided parties

might refer either as a reason for unity, or as a witness in a dispute. The JDDJ, like all

Christian theology, employs this form of consensus, particularly when engaging Christian

tradition in common, [22] but these are not usually the sections that come under dispute and

so will not figure prominently in the present discussion.[23]

Zustimmung

Playing on the etymological sense of *Zustimmung*, that is, giving one's voice to

something in agreement, this type of consensus has to do with the members of a

community individually giving their affirmation to either an action or a belief. Of the

three of Beinert's terms, this has the most differentiated English translation: consent.

Thus, Beinert points to the canonical consent given in the sacrament of marriage, or the

voting at a council (each bishop rendering his *placet* or *non placet*), or of the church's

consent given at the election of a bishop.[24] "This consent is always localized [*endemisch*],

but is a true engagement between the community and its members: the latter must in

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consensus clearer to others, not building up a theory of ecumenical engagement from scratch. It would constitute a major expansion of the project to engage the question of metaphysics as thoroughly, and so it must be acknowledged as a worthy question and passed over. For its application to the JDDJ in particular, see de Witte, *Doctrine, Dynamic, Difference,* 29.

[22] So, for example, in §§8–12, the churches listen together to the scripture regarding justification. The history of canonical formation is itself an example of *Übereinstimmung*, as are the many creedal references which are found throughout the document. As another example, in §15, the JDDJ describes a Trinitarian economy of salvation, without perceiving a need to ground its assumption of the doctrine of the Trinity in anything other than the shared faith of the church.

[23] For a classic engagement with how *Konsens/us* as *consensus fidelium* relates to truth in a real, although not identical manner, especially in the context of ecumeical dialogue, see Jean-Louis Leuba, "Wahrheit und Konsensus: Zugleich ein Beitrag zur Klärung des theologischen Gebrauchs der kopulatven Konjunktion 'Und'," in Jean-Louis Leuba and Heinrich Stirnimann, eds., *Freiheit in der Begegnung: Zwischenbilanz des ökumenischen Dialogs,* (Frankfurt/M.: Verlag Josef Knecht, 1969), 165–189.

[24] Beinert, "Möglichkeit und Umfang," 274.

every way have freedom to give consent or to withhold it."[25] It is in this category that

Beinert locates the idea of reception. Doing so requires reading reception as a kind of

individually-enacted consent to a proposed idea, law, or doctrine. In doing so, he makes

reception into an individual, cognitive act, rather than the communal, lived out

acceptance it would be if he had included it in his first category. In truth, both are at work

in instances of ecumenical reception.

The reception of the JDDJ provides a good example. The text itself received the

kind of positive cognitive consent necessary for its signature from both the officials of the

LWF and the Catholic Church; this represents an instance of *Zustimmung,* just as the

letters of dissent from professors of theology and non-LWF churches represent its refusal.

The actions of the LWF churches who voted "no" would also be examples of withholding

Zustimmung, but like the minority votes at Vatican I,[26] they did not prevent the church's

adoption of the question at hand.[27] This adoption is itself *Übereinstimmung*.[28] The

ongoing reception of the document in the churches will demonstrate a different kind of

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[25] Ibid. "Konsens ist hier zwar immer noch endemisch, aber er sitzt ein echtes Gegenüber con Gemeinschaft und Gliedern voraus: letztere müssen in irgendeiner Weise die Freiheit haben, den Konsens zu leisten und auch zu verweigern."

[26] There is a body of texts that engage the Vincentian canon precisely in the context of the argument at Vatican I about papal infallibility. These help sharpen the distinction between *Zustimmung* and *Übereinkunft*. See Jakob Speigl, "Das Traditionsprinzip des Vinzenz von Lerinum (Common 2): Ein unglückliches Argument gegen die Definition der Unfehlbarkeit des Papstes," in *Hundert Jahre nach dem Ersten Vatikanum*, Georg Schwaiger, ed., (Regensburg: Verlag Friedrich Pustet, 1970), 131–50; Robert B. Eno, "Some Elements in the Pre-History of Papal Infallibility" in *Teaching Authority & Infallibility in the Church, Lutherans and Catholics in Dialogue VI,* Paul C. Empie, T. Austin Murphy, and Joseph A. Burgess, eds., (Minneapolis: Augsburg, 1978), 238–58; Klaus Schatz, "Päpstliche Unfehlbarkeit und Geschchte in den Diskussionen des Ersten Vatikanums," in Werner Löser, Karl Lehmann, and Matthias Lutz-Bachman, eds., *Dogmengeschichte und katholische Theologie*, (Würzburg: Echter, 1985), 187–250.

[27] There is an important difference between these two examples. At Vatican I, the dissenting minority was required to accept the decision of the council, whereas the LWF member churches that rejected the JDDJ are not required by the LWF action to accept it.

[28] The relationship of *Übereinstimmung,* to *Zustimmung* as the church seeks out truth is fraught, especially when one considers the sometimes conflicting roles of individual conscience, magisterial authority, and communal discernment. This is unfortunately a bigger question than can be adequately dealt with here.

consensus, not directly described by Beinert, but which could be understood as a

deepening of *Übereinstimmung*.[29]

Übereinkunft

This final division in Beinert's schema has the etymological sense of a gathering,

or of various persons or groups drawing nearer to one another. It is this that he singles out

as the end of ecumenical dialogue: "the taking up again of a broken communication as a

result of a discourse. According to the radicality of the break, one can speak of a basic, a

partial, or a total consensus [*Übereinkunft*]."[30] The project of reconciliation through

Übereinkunft is pursued by divided Christian groups seeking to recognize each other

through a theological dialogue focused on particular questions of dispute. It is important

to note that Beinert sees the process of dialogue as being fundamentally about the proper

reception of an act of communication. If a particular communication is received with

doubt, and is an important matter, communication can only continue once doubt has been

removed.[31] He describes this as a process of argumentation and acceptance. One side

proposes an argument, the other either receives it or not. *Übereinkunft* must, he argues,

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[29] For a more thorough study of the understanding of "reception" in ecumenical conversation and historical ecclesial use, see Fredric M. Bliss, *Understanding Reception: A Backdrop to its Ecumenical Use,* (Milwaukee: Marquette University Press, 1993). For an understanding rooted in literary theory, see Linda L. Gaither, *To Receive a Text: Literary Reception Theory as a Key to Ecumenical Reception*, (American University Studies, Series VII, Theology and Religion; vol. 192; New York: Peter Lang, 1997). A document on the subject has also been published by the Joint Working Group of the Roman Catholic Church and the World Council of Churches, *Reception: A Key to Ecumenical Progress.* Geneva: WCC, 2014.

[30] "Konsens ist hier die Wiederaufnahme einer abgebrochenen Kommunikation auf Grund eines Diskurses. Je nach der Radikalität des Bruches kann man von einer grundlegenden, einer partiellen oder ein totalen Übereinkunft sprechen." Ibid., 275.

[31] Ibid.

rest on a previously-existing basic consensus. Otherwise it would result in an infinite

regression and mutual dialogue would not finally be possible.[32]

Übereinkunft and Ecumenism: Three Positions

Übereinkunft is the sense of consensus towards which the ecumenical goal is

directed. It has received the most debate regarding whether it is truly possible or even

desirable in the contemporary, postmodern world. It is here that the engagement with

hermeneutics is necessitated, because what is at stake is a common interpretation of both

texts and history and therefore a debate over to what extent such a common

understanding is necessary, desirable, or even possible.

As we turn to the question of what kind of consensus is required for restoring

communion between separated churches, we should keep in mind the reality of wide-

ranging theological diversity *within* communions. This is a topic which usually goes

unexamined in considerations of ecumenical consensus, but it is not uncommon in the

ecumenical world to have the members of a dialogue agree with each other more than

some of them do with members of their own communion.[33] This should lead us to be

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[32] This is one of the senses referred to above at n. 21 above, in which several authors argue that theology requires a metaphysics in order to ground it, otherwise there will be no possibility of dialogue with either the separated brethren or the ancestors in the faith.

[33] William G. Rusch makes precisely this point in his article, "The International Lutheran–Roman Catholic Dialogue — An Example of Ecclesial Learning and Ecumenical Reception." 147–59 in Paul D. Murray, ed., *Receptive Ecumenism and the Call to Catholic Learning,* , (New York: Oxford, 2008), 154: "Still, it should not be overlooked that *within* churches this type of consensus has existed for centuries, whether or not it has been described as 'differentiated.' Members of a particular tradition are rarely in total agreement with all the other members of that tradition. What is new here is recognizing this kind of consensus across church lines, declaring that it is sufficient to resolve any issues of a church-dividing character on a certain doctrine, and employing the expression 'differentiated consensus.'"
    Admittedly, navigating such differences may provide a stronger challenge for churches without authoritative structures for determining which questions are church-dividing. But even for an entity like the Roman Catholic Church, it is clear that unity has been able to tolerate more difference among those who

wary of basing descriptions of unity simply on agreement. As Sarah Hinlicky Wilson

comments, "what divides the church is the church." While agreement about ways of life

and doctrine may be necessary for union, the location of the line between church-dividing

doctrine and acceptable theologoumena is determined by the churches themselves as they

interpret the gospel.[34] Whether any particular placement of this line is a necessary

implication of the gospel or an explanation of an inherited divide is a question not to be

ignored.

In order to show the variety of positions currently operative regarding the

ecumenical necessity or possibility of *Übereinkunft*, I will examine three contemporary

thinkers' engagements with the JDDJ. Each reaches a quite-different determination

regarding the efficacy of the JDDJ's agreement, to a large part determined by their

understanding of what ecumenical consensus itself means.

As an extreme example of what *Übereinkunft* would mean if interpreted as

complete agreement in all things, we can point to the work of Daphne Hampson

regarding Lutheran and Catholic engagement. On the other hand, several other authors

have moved in the opposite direction from Hampson, suggesting that because complete

Übereinkunft is an unreasonable goal, we should be pursuing an ecumenism of plurality,

rather than of consensus. Among these, we can specifically mention the arguments made

by Ulrich H. J. Körtner.[35] A moderated position is held by Ingolf U. Dalferth, who posits

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have not officially broken communion than is allowed in the case of overcoming a break. Ecclesial engagements with the Society of St. Pius X or with the Feeneyites demonstrate this.

For another Lutheran voice on this question, see also Sarah Hinlicky Wilson's excellent and challenging reflection on her engagement in the ecumenical movement, particularly under point 10 in "From the Editor: Reflections Five Years into Ecumenism," *Lutheran Forum* 47, no. 3 (2013), 2–8.

[34] Ibid., 4.

[35] Another useful example would be Edmund Arens, "Müssen wir uns überhaupt verständigen?," *Orientierung* 64, no. 8(2000): 88–93.

that consensus regarding texts is possible, but that they must be differentially received by each tradition.

Daphne Hampson: Übereinkunft *as Uniformity*

Daphne Hampson approaches the question of ecumenical consensus with the assumption that difference and consensus are mutually contradictory.[36] Her engagement with the JDDJ could be classified broadly within the tradition of seeking fundamental differences (*Grunddifferenzen*) behind the symptomatic particularities discussed in bilateral dialogues. Most often, these differences are posited as existing between Catholics and Protestants in general, or between Catholics and Lutherans in particular.[37] Hampson describes the divide between the churches as resulting from two incompatible structures of theological thought. Lutheranism, "is built around a dialectic," between the divine "yes" and "no" that is often described in terms of justification by faith.[38] Catholicism, however, has a different structure, putatively one that is interested in human progress and the "self-perfection" rejected by Luther.[39]

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[36] Daphne Hampson, *Christian Contradictions: The Structures of Lutheran and Catholic Thought,* (New York: Cambridge University Press, 2001).

[37] A brief but excellent introduction to the phenomenon is provided by Harding Meyer, "Fundamental Difference – Fundamental Consensus," *Mid-Stream* 25 no. 3 (1986): 247–59. See also, André Birmelé and Harding Meyer, *Grundkonsens — Grunddifferenz: Studie des Straßburger Instituts für Ökumenische Forschung,* (Frankfurt/M: Lembeck, 1992); S. Mark Heim, "Modes and Levels of Confession: a Protestant Perspective on 'Basic Differences,'" *Mid-Stream* 25 no.3 (1986): 287–98; William G. Rusch, "Basic Difference – a Continuing Debate," 1–8 in H. George Anderson and James R. Crumley, Jr., eds. *Promoting Unity: Themes in Lutheran-Catholic Dialogue*, (Minneapolis: Augsburg, 1988).

[38] Hampson, 177. Her description of Lutheranism is heavily influenced by Gerhardt Forde.

[39] Ibid., 176. In the chapter she does at times admit that Roman Catholic theology has perhaps developed in an Augustinian direction since Trent, but not in such a way as to overcome the difference between Lutheran and Roman Catholic disagreements. Additionally, all ecumenical change is always described as occurring on the Roman Catholic side of the debate.

While her particular concerns with the JDDJ will receive attention in chapter five, for now only her understanding of what constitutes consensus requires careful attention. Her book's engagements with the Joint Declaration all follow the same logic: Lutheranism and Roman Catholicism have different logics by which they work. Some thinkers may see in this an opportunity for reconciliation. For Hampson, however, the different statements are expressions of "different and incompatible structures," so consensus is impossible unless one side were to abandon its own particular logic.[40]

As an example, regarding the disagreement about the Lutheran aphorism *simul iustus et peccator* at both the Regensburg Colloquy of 1541 and the JDDJ, she writes, "it is not a straightforward contradiction. But behind the two statements lie a different philosophy or ontology and indeed a different structure."[41] Here it is clear that she is making use of an understanding of consensus that would require not only unity but uniformity of thought and expression; any difference is itself evidence of disagreement. The *Übereinkunft* necessary for unity is impossible unless one side is converted to the other's way of thought.

Finally, such *Grunddifferenz* understandings of ecumenical division as that proposed by Hampson are either ahistorical or arbitrary. Pieter de Witte points out that

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[40] Hampson's engagement with dialectic is somewhat confusing. On the one hand, the flexibility which she finds in Lutheran dialectic could be a tool for recognizing the valid proclamation of the Gospel among Catholics. At times she seems to leave this a possibility, only to then assert that the Roman Catholic insistence on the importance of Trent, or some other particularly Roman pattern of thought, means that the Roman position is insufficient to the Lutheran understanding of the Gospel.

In a sense, this is a contemporary version of the reasoning by which the early 20c. *Lutherrenaissance* operated in engaging Luther's work – that which is not-Catholic is authentic to the Reformation, while any agreement between the Reformer and the medieval church could only be understood as remnants yet to be weeded out. See, Risto Saarinen, *Gottes Wirken auf uns: die transzendentale Deutung des Gegenwart-Christi-Motivs in der Lutherforschung*, (Stuttgart: Steiner Verlag, 1989). It should also be noted that one of the important predecessor documents to the JDDJ explicitly rejects the position that the ecumenical goal is to "prove that we are one in the structure of our thinking, and our trains of thought, let alone our modes of expression." LK *Rechtfertigung*.II.2.

[41] Ibid., 209.

church dividing condemnations have always related to particular theological statements, never to "meta-theological" *Grunddifferenzen*, such as the one Hampson names.[42] Nor does naming a particular concrete difference as the *Grunddifferenz* solve the problem. Whatever it is, it will have a systematic implications in other areas of theology, which could equally well be defined as the starting point of the difference. This leads to either a circular logic or an arbitrary insistence on one starting point.

Ulrich H. J. Körtner: Plurality without Übereinkunft

Ulrich H. J. Körtner also argues that the concept of "consensus" can only be sensible as a complete cognitive agreement. Thus, the products of contemporary dialogue, what Minna Hietamäki calls "a consensus with difference," are nonsensical.[43] He derives a different lesson from the point than Hampson does, however. For Körtner, the Joint Declaration *succeeds,* not because of its method, but in spite of it:

> Clearly, the so-called "consensus ecumenism" finds itself in a dead end street. For example, the compromise formulas, which in the end did make possible the signing of the Joint Declaration by the LWF and the Roman Catholic Church, do not hide the theological dubiousness and limited capacity of the document. That such an enigmatic text as the JDDJ and the Official Common Statement can be held up as sound ecumenical work and a further convergence of the churches, demonstrates, in my opinion, no actual theological advance; instead it is an indicator "that doctrines such as those on Justification, Eucharist, and Office have lost their church-dividing effect because they —despite all solemn assurances to the contrary— have actually lost the significance they would receive from the very nature of Christianity."[44]

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[42] Pieter de Witte, *Doctrine, Dynamic, Difference,* 12. The idea that *Grunddifferenzen* have "a meta-dogmatic" character is borrowed from Andre Birmelé, *La communion ecclésiale: progrès œcuméniques et enjeux méthodologiques,* (Geneva: Labor et Fides, 2000), 138.

[43] Minna Hietamäki, *Agreeable Agreement: An Examination of the Quest for Consensus in Ecumenical Dialogue*, (New York: T&T Clark, 2010).

[44] Ulrich H. J. Körtner, *Wohin steuert die Ökumene?: vom Konsens- zum Differenzmodel,* (Göttingen: Vandenhoeck und Ruprecht, 2005), 14–15. "Offenkundig befindet sich die sogenannte

Consensus with difference here is merely the acknowledgement of a prior defeat. By suggesting that there is no reason for division because of a differentiated consensus regarding justification, the churches merely admit that the doctrines over which they divided in the sixteenth century have lost their divisive power. This is because they have lost all of their power in the churches' contemporary lives, so the continuing difference is no longer a reason for division. Körtner, however, seems to believe this to be a good thing because it allows the church to accept the reality of difference with which it is confronted. He argues that what ecumenism needs is to give up the hope of consensus and instead accept the diversity of the Christian churches.

This is not a small point and deserves further consideration. It would seem that for Körtner, the two most common descriptions of the contemporary ecumenical project, i.e. consensus and reconciled diversity [*versöhnte Verschiedenheit*], are mutually contradictory. On the one hand, one could, with Körtner, agree that consensus is a word like "unique," that is absolute in its meaning and cannot be moderated with words like "somewhat" or "differentiated." If this is true, then a reconciled diversity may be desirable, but calling something a "differentiated consensus" is as contradictory as saying that someone is "a little bit pregnant." On the other hand such understandings of

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Konsensökumene in einer Sackgasse. Beispielsweise können die Kompromißformeln, die zu guter Letzt doch noch die Unterzeichnung einer gemeinsamen Erklärung von Lutherischem Weltbund und römisch-katholischer Kirche ermöglicht haben, über die theologischen Fragwürdigkeiten und die begrenzte Tragfähigkeit des Dokumentes nicht hinwegtäuschen. Daß derart schillernde Texte wie die Gemeinsame Erklärung (GER) und die "Gemeinsame offizielle Feststellung" (GOF) allen Ernstes für eine tragfähige Basis künftiger ökumenischer Arbeit und einer weiteren Annäherung der Kirchen gehalten werden kann, zeugt m. E. nicht von echten theologischen Fortschritten, sondern ist eher ein Indiz dafür, 'daß Lehren wie die zur Rechtfertigung, Eucharistie und Amt schon deswegen ihre kirchentrennende Wirkung verloren haben, weil sie -allen feierlichen Beteuerungen zum Trotz- doch faktisch die Bedeutung verloren haben, die ihnen vom Wesen des Christlichen her zukäme. '" The final citation is from Richard Schenk, "Eine Ökumene des Einspruchs: systematische Überlegungen zum heutigen ökumenischen Prozess aus einer römisch-katholischer Sicht," 225-250, in *Reunionsgespräche im Niedersachsen des 17. Jahrhunderts*, (Göttingen: Vandenhoeck & Ruprecht, 1999), 233.

consensus may overestimate both the distance between the confessions' positions and the

similarity of the cultural matrices in which these positions are articulated.[45]

Proposals that reject the possibility of consensus seem unable to give a credible

description of the borders of an authentically Christian diversity.[46] For an agreement to be

"ecumenical" that is, pertaining to the household of the faith, there will need to be some

agreement, some consensus, about where such borders lie. Households are constituted not

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[45] In this, the analogy to pregnancy is perhaps felicitous. If we consider pregnancy as a binary state, it is true that a woman is either pregnant or not. There are many situations in which this is a useful distinction, for example, in determining whether a physicist can continue to work with an X-ray generator, or whether to offer someone a glass of wine. On the other hand, it can be meaningful to modify the adjective as a descriptor of someone's experience. In this way, we could speak of someone as being "more pregnant" than someone else in order to indicate that they have progressed farther toward childbirth — the expression is intuitively understandable. Bringing the analogy back to the ecumenical movement, it may be true that until full communion is established there is not a consensus between two groups. Nevertheless, the dialogues have furthered the consensus which does exist between the separated churches through their work over the last several decades, and the adjectival modifications of "consensus" describe this process in an immediately intuitive manner.

Michael Root has proposed helpful categories for sorting out such ideas. He begins with "scalar" and "non-scalar" as top-level categories. These correspond with what we have been calling "analog" and "digital" categories. He then complexifies the non-scalar category in a helpful manner: "Non-scalar concepts can relate to scales of more or less, while remaining non-scalar. Take, for example, graduating from college. In one sense, that is a non-scalar category; one has either graduated or not graduated. But there can be progress toward graduation; one can almost have graduated. … 'Graduated' is in that sense a certain kind of non-scalar concept, which I would call a *threshold concept;* one approaches the threshold of graduation, which then applies when one has crossed the threshold. In addition, a non-scalar reality can become more intense or rich or full … [a marriage] may over time become more or less intense, more or less rich, even while the non-scalar judgment 'John and Jane are married' applies uniformly and consistently. I would call such a concept a *fullness concept*." Michael Root, "The Theology of *Unitatis redintegratio*," (panel paper, *Catholic Theological Society of America*, San Diego, CA, June 6, 2014).

[46] One author who seems attentive to the problem, but believes it to be surmountable is Annemarie C. Mayer, "Toward the Difficult Whole: 'Unity' in Woman's Perspective," *The Ecumenical Review* 64 no. 3 (2012): 314–327. In this article she suggests that there are resources within postmodern thought for "coping with the *horror unitatis*" that could generate "a hermeneutics of unity understood as an 'obligation toward the difficult whole.'" (314) She argues that the divergent positions of the churches could "inflect … toward a common point of reference." (326) This could allow, she thinks, the possibility of evaluating churches' positions relative to the Gospel without having to do so through the (admittedly very complex) process of bilateral interconfessional dialogue. Interestingly, she sees "the difficult whole" operating in an eschatological manner very much like that described in the first chapter of the present work. On the whole her proposal is intriguing, however, it is unclear how the individual confessions are to be judged as to their fidelity to the Gospel and the Kingdom without the difficult process of bilateral dialogue. The reception of the Faith and Order papers has shown that while such efforts may be useful in increasing the sense of the other as separated Christians (and in her sense, therefore putting us in relationship to each other in terms of the messy whole-church), such documents have not been successful in calling churches to repentance regarding their behavior or in recognizing those across historical divides of practices as more fully church. I would argue that the missing element in the puzzle is relationship, and it is here that the bilateral dialogues are necessary to the ecumenical project.

only by what is inside them, but by their walls. Körtner does not seem unaware of the

problem:

> From the division between church and synagogue on, one of the irremovable
> ambivalences of the church is that every effort towards visible unity, no matter
> what form it takes, leads to new polarizations and divisions, as it bumps up
> against its painful borders.[47]

He is similarly quite aware of the necessity of holding together "identity and difference,"

[*Identität und Differenz*], but prefers the language of "reconciled diversity" [*versöhnte*

Verschiedenheit] for doing this.[48] In part, this seems to be because of his ecclesiology,

which insists on a strict division between the visible and invisible aspects of the church. It

seems that this might betray a kind of futurist eschatology, in which the churches are

merely a preparation for a future Kingdom of God. "Church" here is a synonym for

"confession," or "church body" and therefore also for the visible, human, sinful aspects

of ecclesial structures.

> The formula of reconciled diversity, which names the problem of the unity of
> identity and difference in Christianity, is only theologically defensible when it is
> understood not statically, but dynamically. This, however, happens only when the
> ecclesiological consequences are considered in terms of what the New Testament
> calls discipleship [*nachfolge*]. Just as every Christian, so also the churches stand
> under the Word of Christ, whose admonition and promise is this: "Whoever
> wishes to come after me must deny himself, take up his cross, and follow me. For
> whoever wishes to save his life will lose it, but whoever loses his life for my sake
> and that of the gospel will save it. (Mark 8, 34–35, NAB).
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> Just as the goal of reconciliation is not the dissolution of any kind of confessional
> identity, it is also not the absolute preservation of emergent structures and modes
> of faith. The proper hope, towards which all ecumenical work is directed, is not

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[47] Körtner, *Wohin,*37. "Es gehört zu den unaufhebbaren Ambivalenzen der Kirche, daß jedes
Bemühen um sichtbare Einheit, gleichgültig welche Form sie annimmt, zu neuen Polarisierungen und
Trennungen führt und an der Trennung zwischen Kirche und Synagoge an seine schmerzlichen Grenzen
stößt."

[48] Ibid., 42.

the visible unity of the earthly church, but is the Kingdom of God in which creation will find its fulfillment.[49]

Such an ecclesiology leads him to see in official Roman Catholic ecumenism merely a kind of ecclesiastical imperialism in which the reunification of the churches can only be a "reintegration of the non-Catholics into the Roman Church."[50]

In this, his ecumenical hermeneutics and his ecclesiology are mirror images of each other. Because both are rooted merely in culture, language, and history, without a sense that these are sacraments of a deeper, already-existing presence of the kingdom, the church is left with only its human reality. If this is true, then one can see why every Roman Catholic or ecumenical appeal to the necessary unity in the truth or in the Body of Christ seems to be a power play to convert the other to one's own way of thought or way of being. Yet, even in doing so, he points to the dominical call to follow in the way of the cross, so there must be some shared unity. The problem comes in that this understanding evacuates the church of any present unity, leaving it only able to refer back to the distant past and to hope in the future. It is blind to the presence of the unity that, while wounded, already exists between the churches.[51]

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[49] Ibid., 42–43. "Die Formel von der versöhnte Verschiedenheit, welche das Problem der Einheit von Identität und Differenz in der Christenheit benennt, ist nur dann theologisch vertretbar, wenn sie nicht statisch, sodern dynamisch verstanden wirt. Das aber geschieht nur, wenn die ekklesiologischen Konsequenzen dessen bedacht werden, was im Neuen Testament Nachfolge heißt. Wie jeder einzelne Christ und jede Christin, so stehen auch die Kirchen unter dem Wort Christi, das Mahnung und Verheißung sugleich ist: ‚Wer mir nachfolgen will, der verleugne sich selbst und nehme sein Kreuz auf sich und folge mir nach. Denn wer sein Leben retten will, wird es verliegen; wer aber sein Leben verliert um meinetwillen und um des Evangeliums willen, der wird es retten' (Mk 8, 34f)

Sowenig die Auflösung jeglicher konfessioneller Identitäten das Ziel von Versöhnung ist, sowenig ist es das unbedingte Festhalten an gewachsenen Strukturen und Glaubensweisen. Die eigentliche Hoffnung, von der alle ökumenische Arbeit getragen wird, ist aber nicht die sichtbare Einheit der irdischen Kirche, sondern das Reich Gottes, in welchem die Schöpfung ihre Vollendung finden soll."

[50] Ibid., 42. "Re-Integration der nicht-katholischen in die römische Kirche." He cites UR generically to support the claim.'

[51] Gregor Maria Hoff underlies the importance of this eschatological unity and argues from it for models of church unity that neither minimize difference (and thereby setting up tensions that will later cause division) nor relativize the central place of Christian claims about Christ (and thereby achieving unity

Ingolf U. Dalferth: Übereinkunft *by Differentiated Reception*

Ingolf U. Dalferth rejects the premise of Körtner's position, but believes that the

JDDJ's attempt at differentiated consensus fails on the merits of the case.[52] A truly

ecumenical document, he argues, must be coherently receivable by both sides within their

own understandings.

> From this it follows directly that ecclesial reception can only ever refer to the
> *common text*, but *not* on a *common textual understanding* [*textverständnis*], not
> because a text can be received without an understanding, but because every side
> receives the text *within its own understanding* — and nothing else is either
> required or possible. The decisive question for reception is not, "does the other
> side understand the text exactly as we do?" but instead "does this text present our
> theological concerns clearly so as to be defensible for us and understandable to
> the other?" When both sides can say yes to this within reason, such a text is
> receivable. Both sides can only agree, however, if each can judge within its own
> criteria and coherently connect to the text within their own horizon and modes of
> understanding [*Verständnisreihen*].[53]

Dalferth's understanding is fundamentally correct regarding the necessary location of

reception; it can happen only within the existing understandings of the churches who are

party to the dialogue. He does, however, seem to underplay an important aspect of

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at the cost of witness or an inattention to the sinful exercise of power). This requires an ongoing
engagement with dialogue and a "difference-theological ecumenical hermeneutic." Idem. *Ökumenische
Passagen — zwischen Identität und Differenz: Fundamentaltheologische Überlegungen zum Stand des
Gesprächs zwischen römisch-katholischer und evangelisch-lutherischer Kirche,* (Salzburger Theologische
Studien, vol. 25, Innsbruck: Tyrolia-Verlag, 2005).

[52] He diagnoses an incoherence in the document which makes it unacceptable from a Lutheran
position. He argues that the JDDJ does away with Lutheran confessional commitments in order to replace
them with Tridentine commitments. Ingolf U. Dalferth, *Auf dem Weg der Ökumene: Die Gemeinschaft
evangelischer und anglikanischer Kirchen nach dem Meissner Erklärung,* (Leipzig: Evangelische
Verlagsanstalt, 2002), 255.

[53] Ibid., 256. Italics original.. "Daraus folgt unmittelbar, daß sich kirchliche Rezeption immer nur
auf den *gemeinsamen Text,* aber *nicht* auf ein *gemeinsames Textverständnis beziehen kann,* nicht weil ein
Text ohne Verständnis rezipiert – und anderes weder nötig noch möglich ist. Die für die Rezeption
entscheidende Frage ist nicht; Versteht die andere Seite den Text genau so wie wir?, sondern: Bringt dieser
Text unsere theologischen Anliegen für uns vertretbar und für den anderen verständlich zum Ausdruck und
zur Darstellung. Wenn beide Seiten das mit Gründen bejahen können, wird ein solcher Text rezipierbar.
Beide Seiten können es aber nur bejahen, wenn sie nach je ihren Kriterien urteilen und den Text in je ihrem
Horizont an ihre jeweiligen Verständnisreihen kohärent anschließen können."

dialogue, that is, the possibility of achieving an actual understanding of the other side's position. Ecumenical dialogue requires more than recognizing the other's theology as merely coherent; many coherent systems are also anti-gospel. It requires seeing in the other a possible *Christian* position, that is, as something that participates in the shared truth of the gospel.

This is important, for the churches do not approach ecumenical dialogue as mere strangers, or even in the same way that different religions might: sharing little but a common humanity on which a dialogue can be built. Consensus between Christians across confessional divides is grounded in a common Christian witness to the person of Jesus Christ as mediated by the ancestors of the faith and the Christian community. Because the confessions are not only separated but inhabit different cultural, linguistic, and historically-formed spaces, the dialogues will always be dealing with questions of interpretation. Absolute consensus of the kind assumed by Hampson cannot exist because the churches do not inhabit the same cultural-linguistic space. Translation will always be necessary. As Gregor Maria Hoff, argues, "Consensus never means absolute agreement; it excludes the totalizing identity of positions. Ecumenical consensus can only be the outcome of an encounter with the difference of the confessional other, which cannot be taken up into one's own terms and concepts without doing it harm."[54] Hoff goes on to remark that the question of how this is possible constitutes, "the basic hermeneutical problem."[55] The importance of hermeneutics, especially to the Lutheran-Catholic

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[54] "Konsens meint niemals *absolute* Zustimmung; er sperrt die totalisierende Identität von Positionen. Der ökumenische Konsens kann nur das Ergebnis einer Auseinandersetzung mit einer Alterität des konfessionell Anderen sein, die nicht in den eigenen Begriffen und Konzepten ungebrochen aufgeht." Hoff, *Ökumenische Passagen,* 21.

[55] Ibid. "Wie dies [see n. 21 above] möglich sein soll, ist das hermeneutische Grundproblem."

dialogue, proves to be a recurring theme. How one can hold together a real consensus in the truth with the inescapable experience of difference and diversity within the church is no new problem, but it is a difficulty made particularly clear by the dialogues. Several other engagements with consensus and difference have been proposed, and to these we now turn.

Consensus with Difference and Differentiated Consensus

The language of "differentiated consensus" developed out of the experience of recognizing both unity and difference within the dialogues.[56] Harding Meyer has been the most prolific theological writer on the topic of differentiated consensus. His very convincing account will provide the central beam on which the engagement with this topic will be constructed. A secondary distinction will be found in the work of Minna Hietamäki. She makes a careful distinction between this differentiated consensus and a "consensus with difference," to which I will return.[57] Each of these authors is working inductively, beginning with the data of the dialogues themselves. Attempting to hold together the various distinctions and descriptions that they provide may allow us a fuller vision of the phenomenon. In what follows, I will begin with Meyer's consideration of differentiated consensus and then turn to Hietamäki's work.

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[56] At least one of its promoters now prefers "differentiating consensus." See Theo Dieter, "Luther Research and Ecumenism," *Dialog* 47, no. 2 (2008): 157–166. Dieter's expression emphasizes that the consensus reached is not merely a differentiated understanding of the same thing, but is an agreement which itself differentiates between the two acceptable positions. This is a helpful point, and should be noted. However, as most of the literature, especially in English, continues to use "differentiated consensus," I will follow this convention.

[57] Hietamäki, *Agreeable Agreement,* 54.

Harding Meyer

Harding Meyer has done much to promote the idea of differentiated or differentiating consensus. Clearly he does not see this as an alternate option to reconciled diversity, as Körtner does, for his essay on the formula "differentiated consensus" is published in a collection of his work titled *Versöhnte Verschiedenheit*.[58] Indeed, Meyer argues that differentiated consensus is not primarily a theory of consensus like those discussed above or a method for achieving unity in the truth. Instead, he argues, it is something that arises out of dialogue: "It is much more true that thoughts and formulas of 'differentiated consensus' crystallize over time *in the process* of working for consensus in the bilateral interconfessional dialogues. They follow *from* the actual formation of a consensus as its self-reflection."[59]

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[58] Harding Meyer, "Ökumenischer Konsens als 'differenzierter Konsens' Die Prägung einer Formel. Ursprung und Intention" 41–62 in *Versöhnte Verschiedenheit: Aufsätze zur ökumenischen Theologie III*, (Frankfurt/M.: Lembeck, 2009). He makes the point explicitly in an article in another volume of this collection, thus: "It is of great importance that the churches, in receiving the outcomes of the dialogues, also are aware of the particular nature of the consensus reached [that is, a differentiated one] and know that exactly such a consensus corresponds to the dialogues' goal of church unity, not a unity of some sort of created uniformity, rather a community of different confessional churches, one which is – to use our catchword – "a unity in reconciled diversity." "*Es ist von grosser Wichtigkeit, dass auch die Kirchen bei der Rezeption der Dialogergebnisse sich der besonderen Gestalt der erreichten Konsens bewusst sind und erkennen, dass gerade solch ein Konsens der in den Dialogen gesuchten Einheit der Kirche entspricht, nicht einer wie auch immer gearteten Vereinheitlichung, sondern einer Gemeinschaft bekenntnisverschiedender Kirchen, einer – um das Stichwort zu gebrauchen – "Einheit in versöhnter Verschiedenheit.*" Idem. "Die Struktur ökumenischer Konsense," 60–74 in *Versöhnte Verscheidenheit: Aufsätze zur ökumenischen Theologie I,* (Frankfurt/M: Lembeck, 1998), 73.

[59] Hardng Meyer "Ökumenischer Konsens," 41. "Vielmehr ist es so, dass Gedanke und Formel vom 'differenzierten Konsens' sich *im Vollzug* des Konsens bemühens der bilateralen interkonfessionellen Dialoge nach und nach herauskristallisierten. Sie folgten also der faktischen Konsensbildung *nach* als deren Selbstreflexion." Emphasis original.

Differentiated Consensus as "Method"

Because Meyer, quite rightly, insists that differentiated consensus does not

constitute a method, a clarification regarding the use of the word may be helpful at this

point.[60] Throughout chapter one, I made a distinction between critiques of the JDDJ's

substance and critiques of its method. If Meyer is correct that differentiated consensus is

not an ecumenical method but a *product* of the method of bilateral interconfessional

dialogue, one could ask if my distinction in the prior chapter is valid.

First, I accept his argument. Over time, through these dialogues and as mutual

understanding grew, what resulted was a differentiated consensus. It is, therefore more

the product of dialogue than a method to be followed in achieving it. Nevertheless, there

is a necessity in the present project to describe the critiques levied at the JDDJ that are

about more than particular questions of content. These critiques are directed at the

document's method. This seeming disjunction raises the question of what is meant by

"method" in these various contexts and if differentiated consensus can be considered to

be a method in the JDDJ.

The JDDJ, as a document, has a method that it puts at the service of describing the

consensus that arose out of the dialogues. Its explanation of the differentiated consensus

is what authors critique in two distinct ways, *viz.* by critiquing particular doctrinal

statements and by questioning whether differentiated consensus actually constitutes a

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[60] "Method" is a particularly difficult word to use well because it is used differently by different writers and bears a variety of implications. As an example, we can look at two thinkers whose major works each include it in the title, Gadamer and Lonergan. Gadamer suggests that method is a kind of automation by which repeatable results are achieved by following a process. On the other hand, for Bernard Lonergan, a method is something which a person utilizes, and as such will provide new outcomes depending on their location in time, space, and personal development.

meaningful consensus. In considering the document we can speak rightly of a "method of differentiated consensus" as shorthand for "a method of describing a differentiated consensus that arose out of extended bilateral dialogue." Specifically the JDDJ's pattern of enunciating common statements followed by explanations of how those statements can be situated within Lutheran and Catholic commitments is a method of describing a differentiated consensus.[61] Authors who argue that the JDDJ is merely equivocal are arguing that the consensus to which it bears witness cannot exist, and are therefore saying something more than "these particular doctrinal statements are unconvincing." For this reason, we can properly speak of methodological critiques of the document, although perhaps "programmatic critiques" might be more precise.

Considering the dialogues themselves, however, Meyer's reminder is necessary: differentiated consensus is not really a method, but an outcome. The method of contemporary ecumenism is *bilateral interconfessional dialogue*, and it is this that produced the differentiated consensus described in the JDDJ. As Meyer demonstrates, this method took time to develop and entailed a major shift in conception regarding ecumenism, its goals, and the obstacles in its path. Specifically, the multilateral approaches to ecumenism before the nineteen-sixties assumed that "confession" and "ecumenism" were opposed terms. Of course, if this is true, then ecumenism is only achievable by a kind of "transconfessionalism" in which every confession has to give up all its distinctive characteristics for the sake of unity. The process of bilateral dialogue instead assumes that the confessions can come to a meaningful Christian unity without

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[61] Meyer implicitly makes this point in his description of differentiated consensus statements cited below at n. 64.

uniformity, that is, they come to this unity as recognizable confessions.[62] It is not

surprising, therefore, that Meyer understands "differentiated consensus" and "reconciled

diversity" to be compatible. Seeking a reconciled diversity through bilateral dialogue

often results in differentiated consensuses that "crystallize" over time as mutual

understanding is achieved.

Differentiated Consensus

As Meyer points out, the word "consensus" rarely appears in bilateral documents

without modifiers. Consensuses are "far-reaching" or "growing" or "in basics," or

"fundamental."[63] His choice of the image of crystallization is important; it emphasizes

not only the glacial pace by which real understanding grows, but also the sense that the

growing consensus is not merely the acceptance by one party of the other's arguments (as

in Beinert); the consensus is an emergent aspect of the conversation itself. Understanding

the logic of the other party's confessional commitments requires a re-reading of both

those commitments and one's own, especially regarding points where direct oppositions

were historically understood to exist. The consensus has its own proper horizon. It is that

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[62] Meyer "Ökumenischer Konsens," 43. "Dieser Auffassung von einem prinzipiellen Antagonismuz zwischen 'Konfession und Ökumene" und der daraus resultierenden *transkonfessionellen* Schau kirchlicher einheit konnten die konfessionsbewussteren unter den Kirchen und die meisten der Konfessionellen Weltbünde – trotz ihrer grundsätzlichen Befürwortung und Unterstützung der ökumenischen Bewegung – sie nie wirklich anschliessen. Statt dessen wählten diese Kirchen und Weltbünde gegen Ende der 1960er Jahre eine ihrem Selbstverständnis entsprecherendere Form ökumenischen Engagements: die "*bilateralen interkonfesisonellen Dialoge.*" Es war eine innovative Form ökumenischen Bemühens, die – im Unterscheid zu den bislang vorherrschenden und vom ÖRK favorisierten 'multilateralen' Gesprächen – die verschiedenen Konfessionalitäten nicht auszublenden und zurückzulassen verschuchte, sondern sie gezielt und in ihrer positiven Bedeutung in Rechnung setzte. In den bilateralen interkonfessionellen Dialogen sprach sich also von Anfang an ein Verständnis von kirchlicher Einheit aus, das nicht mehr vom Gedanken eines prinzipiellen Widerspruchs zwischen 'Konfession und Ökumene' beherrscht war." A similar point is made by Hoff. *Ökumenische Passagen*, 267.

[63] Ibid., 47.

of the bilateral dialogue itself. This is not properly speaking the habitual horizon of either

party. Therefore, it must be differentiated, so as to relate the common consensus to the

horizons of both parties. Indeed, Meyer occasionally speaks of a "consensus that is

differentiated in itself," [*in sich differenzierten Konsens*] to underline that each

description of such a consensus bears two consensus statements within it:

- a statement, which states in fundamental and essential content the agreement attained on a doctrine that until now was disputed, and

- a statement which says, how and why the remaining doctrinal differences can be evaluated as admissible and do not call into question the agreement in its fundamental and essential aspects.[64]

Meyer points out that while the Joint Declaration does not itself use the language of

"differentiated consensus," instead speaking of a "consensus in basic truths of the

doctrine of justification,"[65] it is elucidating precisely the kind of consensus that he is

describing.[66] The three-part structure of the JDDJ's central sections emphasizes that there

are three terms in its consensus to which the reader must attend: the consensus itself and

the re-interpretations necessary to make the consensus sensible within each of the party's

habitual theological horizons.[67]

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[64] Meyer, "Struktur," 73. "- eine Konsensaussage im Blick auf das, was in dieser Lehrfrage gemeinsam als das Grundlegende und Wesentliche erachtet und vertreten wird, und
- eine Konsensaussage darüber, dass und warum die bliebenden Verschiedenheiten der Lehraussagen als zulässig und legitim gelten können und die Übereinstimmung im Grundlegenden und Wesentlichen nicht in Frage stellen." The translation is from Idem, "Consensus in the Doctrine of Justification," William G. Rusch, trans., *Ecumenical Trends* 26, no.11 (1997): 5/165–8/168.

[65] JDDJ, §40, also §5. §13 describes both "a common understanding of justification" and "a consensus on basic truths." §14 lauds both "a shared understanding of justification" and "a consensus in basic truths" paired with "differing [confessional] explications [which] … are compatible with it."

[66] Meyer, "Die Struktur ökumenischer Konsense," 60–74 in *Versöhnte Verscheidenheit: Aufsätze zur ökumenischen Theologie I,* (Frankfurt/M: Lembeck, 1998), 62.

[67] This is quite similar to the proposal made by Ingolf U. Dalferth above, with the exception that the JDDJ is insistent that the document be understood and received by both traditions in the same way. See above, page 94. This history does not necessarily rule out Dalferth's point, although it does hold higher hopes for the possibility of mutual understanding than he seems to.

Minna Hietamäki

Minna Hietamäki proposes a terminological distinction to help define differentiated consensus. Specifically, she suggests that what is present in the JDDJ can properly be called "differentiated consensus," but is leery of extending this terminology either retroactively within the Lutheran–Roman Catholic dialogue or to other ecumenical agreements. She sees in the Lutheran–Roman Catholic dialogue a "methodology that is explicitly more hermeneutical than many other dialogues," which she believes to be central to the agreement in the JDDJ.[68] Therefore, she suggests that the broader category of ecumenical agreement not requiring uniformity might be called "consensus with difference" within which differentiated consensus would be one particular type.[69] Like Meyer, she is wary of considering differentiated consensus to be a kind of ecumenical method. The fact that the JDDJ declares a consensus to have been reached is a different thing than the method by which that consensus was reached; differentiated consensus, therefore, is the product, not the method of the Lutheran–Roman Catholic dialogue.

This is a helpful distinction, and helps to structure the argument that is developing in this chapter. The theologians who figured in the first section were primarily concerned with the question of consensus with difference and whether it was possible in the abstract. The Lutheran–Roman Catholic dialogue's particular fruits in the JDDJ point to a specific kind of consensus with difference, that is, Hietamäki's narrow use of "differentiated consensus." This seems to be the same use that the term receives in

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[68] Hietamäki, 54.

[69] Among her concerns, chief seems to be this question of the hermeneutical character she sees in the Lutheran-Roman Catholic dialogue, but not in others. Specifically, she argues that not all dialogues "subscribe to the hermeneutical understandings that make the form of consensus possible in the first place." Hietamäki, 54.

Meyer's work, although he is more willing to describe such consensuses as having been achieved more broadly across ecumenical dialogues.[70]

In engaging this consensus with difference, Hietamäki expands on a point made by Meyer that the Lutheran–Catholic dialogue underwent a shift regarding the meaning of "basic" in "basic consensus."[71] Indeed, she finds that the JDDJ "exemplifies a gradual shift in the Lutheran–Roman Catholic dialogue from partial (basic) agreement to an agreement on the basics."[72] This shift does not mean that all interpreters are equally convinced of the document's success in its goals, as she ably demonstrates. She describes the consensus with difference of the JDDJ as inspiring both "joy and serious concern," among theologians, a description that is entirely accurate, as demonstrated in the first chapter.[73] Accepting that such a differentiated consensus is theoretically possible seems to be a major hurdle to accepting that such a consensus is present in the JDDJ.

George Lindbeck's *Nature of Doctrine*: Consensus Despite Difference

Hietamäki also recognizes that answering the challenges posed by contemporary ecumenical dialogue requires "an approach that incorporates the cognitive or truth aspect of consensus [and] must be expanded beyond the idea of a decontextualized cognition."[74] While not claiming that he answers all questions, she suggests that an attention to George Lindbeck's "cultural-linguistic understanding of doctrine could allow for the coexistence

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[70] See Meyer, "Differenzierter Konsens," 58–62.

[71] Hietamäki, 60.

[72] Ibid., 61.

[73] Hietamäki, 218.

[74] Ibid., 205.

of consensus and difference."[75] Lindbeck's well-known volume, *The Nature of Doctrine,*[76] provides a description of the phenomenon of recognizing such unity despite difference and suggests a way of making sense of it, but does little to suggest why it should be the case that theology works in this way. Perhaps because of this, the book has received a wide range of responses. After provoking an initial flurry of discussion, its "postliberal" proposal has not been primarily developed in relation to the ecumenical concerns that gave it rise.[77]

Lindbeck's Counter-Proposals

Lindbeck proposes a relationship between truth and doctrine requiring a conception of consensus and communion that is quite different from most of the models

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[75] Ibid., 206. David M. Chapman echoes Hietamäki's point about the necessary interrelationship between "cognitive-intellectual" and "socio-communal" consensus. One of the difficulties with his proposal is that in distinguishing these two aspects of consensus, he suggests that they can in fact be separated. One of the strengths of both Lindbeck's proposal and the analysis of theological meaning offered by Masson is the insistence that all cognitive-intellectual meaning is socio-communally located, that is, as will be argued in Lindbeck's terms, cultural-linguistic coherence is a necessary condition for ontological truth. "Consensus and Difference: The Elusive Nature of Ecumenical Agreement," *Ecclesiology* 8(2012): 54–70.

[76] Lindbeck, *The Nature of Doctrine: Religion and Theology in a Postliberal Age*, (Philadelphia: Westminster Press, 1984).

[77] Paul J. DeHart suggests that the Postliberal proposal has fragmented into "five loose strands of influence," The first is associated with Stanley Hauerwas and focuses on "a counter-cultural social ethic, on the critique of 'modernity' and its offspring, the Western liberal societies." The second "focuses on ecclesial practices and the communal formation of individuals." A third searches for "a post-critical hermeneutic of scripture" perhaps because the scripture is emphasized as authoritative over the church. The fourth may emphasize the authority of the church [understood historically] more than that of scripture. This, he associates with the journal *Pro Ecclesia*. Finally, some emphasize the Scriptural role of judging the contemporary community, particularly among contemporary Barthians. This fragmentation, he suggests results from an instability baked into Lindbeck's book, specifically regarding an account of the interaction of the contemporary community, the church in history, and scripture. To say that the *Nature of Doctrine* or the Postliberal argument has declined as an important theological trajectory, however, would be an overstatement. It may not form a cohesive movement, or provide a compelling argument as to why the ecumenical recognition of agreement without capitulation is possible, but the recognition that it is remains compelling, as can be seen in the continued publication of books and articles engaging the question. *The Trial of the Witnesses: The Rise and Decline of Postliberal Theol*ogy, (Malden, Mass: Blackwell, 2006). See particularly 46–48 and 240–44.

we have discussed so far. Lindbeck positions his proposal as an alternative to what he sees as the two dominant poles of contemporary theological engagement with truth. These he calls the "cognitive-propositionalist" and "experiential-expressivist" models. Understanding what he means by these terms will help locate his own proposed alternative. He allows that there is a third possibility extant among contemporary Roman Catholics, but he believes it to be a hybrid position, meshing aspects of the other two.[78] Each of these positions regarding the relationship between doctrines and truth will be described in Lindbeck's terms briefly before describing his own position and considering its implications.

Cognitive Propositionalism

Of the models Lindbeck uses, this is the simplest to describe. Doctrines are true because they express true propositions. This position "emphasizes the cognitive aspects of religion and stresses the ways in which church doctrines function as informative propositions or truth claims about objective realities."[79] Lindbeck connects this approach to "traditional orthodoxies" as well as the commitments of Anglo-American analytic philosophy and even scientific knowledge. Theological utterances are expressions of truth like any other. Of the models, this is that with which Lindbeck engages least, perhaps because he believes it to be the least likely to convince those in his primary

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[78] Lindbeck, *Nature of Doctrine,* 16. Lindbeck's Catholic option is neither convincing in its coherence as a position, nor in its resemblance to the figures to whom he ties it, Bernard Lonergan, SJ and Karl Rahner, SJ. Showing its insufficiency to the thought of these two important, but quite different, thinkers, will have to remain outside the scope of this chapter.

[79] Ibid.

audience, i.e. those involved with ecumenical dialogue.[80] He also seems to believe that

contemporary culture produces people who are particularly unsuited to propositionalist

understandings of doctrine; because they are generally less

> deeply embedded in particular religious traditions or thoroughly involved in
> particular religious communities. This makes it hard for them to perceive or
> experience religion in cognitivist fashion as the acceptance of sets of objectively
> and immutable true propositions.[81]

Perhaps because of this lack of engagement, *The Nature of Doctrine* has often been

attacked from the direction of cognitive propositionalism, with opponents suggesting that

Lindbeck's postliberal proposal is incapable of describing doctrines that are sufficiently

true to be meaningful. Lindbeck's category must also be differentiated from much of

classical engagement with doctrine, lest it overstate the claims of many important

theologians regarding the comprehension of divine truth. In particular, Lindbeck's lack of

engagement with the idea of analogy leaves him open to this charge, but as this chapter is

not an evaluation of Lindbeck's work as a whole, this must be passed over.[82] His

description of the cognitive-propositionalist pole of religious belief is fitting, even if few

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[80] In the preface to the 1994 German edition, Lindbeck expresses his surprise at which theologians had expressed interest in a book which he understood to be directed only at an ecumenical audience. "By 1984, ecumenical interests had shifted from overcoming the doctrinal barriers which block Christian unity to co-operating in common struggles for, to use the World Council of Churches' formula, Justice, Peace and the Integrity of Creation (commonly known by the acronym, JPIC). Ecumenists of this new type are not much interested in doctrine, and instead it is systematic and historical theologians, philosophers and sociologists of religion, and even, though to a lesser extent, scriptural scholars who have been the most engaged and frequent participants in discussion of this book. This surprised me. The only fresh aspect of the book, I had supposed was its ecumenical focus." Translation from "Foreword to the German Edition of *The Nature of Doctrine*," xxix–xxxii in *The Nature of Doctrine: Religion and Theology in a Postliberal age, 25th Anniversary Edition;* Originally published as George A. Lindbeck, *Christliche Lehre als Grammatik des Glaubens: Religion und Theologie im postliberalen Zeitalter*, Theologische Bücherei, vol. 90, (Gütersloh: Chr. Kaiser, 1994), 17.

[81] Lindbeck, *Nature of Doctrine*, 21.

[82] This is also a critique of Lindbeck's work made by Alistair McGrath, although I believe that McGrath goes too far in his critique, confusing Lindbeck's diagnosis of a problematic modern position with a wholesale indictment of the tradition. I will engage McGrath's critique at greater length below. *The Genesis of Doctrine: A Study in the Foundations of Doctrinal Criticism* (Cambridge, MA: Basil Blackwell, 1990): 15–20.

classical thinkers of note would fit within it. Certainly there are religious people who treat doctrines as simply and universally true in an unproblematic fashion, and who are therefore aptly described by Lindbeck's category.

Experiential Expressivism

Lindbeck's second category intends to describe the descendants of Schleiermacher and their allies. These view doctrine as cultural and temporal expressions of a universal human transcendent experience.[83] Lindbeck describes such thinkers as interpreting "doctrines as noninformative and nondiscursive symbols of inner feelings, attitudes, or existential orientations."[84] This he locates as an effect of the turn to the subject.[85] Lindbeck credits this stream of theology with producing much of Western culture of the last century and a half. He sees it as more likely to retain cultural dominance regarding religion than the cognitive-propositionalist approach, even while experiential-expressivist thought is losing ground in the nontheological sphere.[86] The disjunction may be explained within Lindbeck's thought because he sees the conviction that religion is a private matter to be itself a product of the experiential-

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[83] They "all locate ultimately significant contact with whatever is finally important to religion in the prereflective experiential depths of the self and regard the public or outer features of religion as expressive and evocative objectifications (i.e., nondiscursive symbols) of internal experience." Lindbeck, *Nature of Doctrine.*, 21.

[84] Ibid., 16.

[85] Ibid., 24.

[86] Ibid., 25: "Yet, whatever the countervailing tendencies, the most significant development in theories of religion is the growing gap between theological and nontheological approaches. Experiential-expressivism has lost ground everywhere except in most theological schools and departments of religious studies where, if anything, the trend is the reverse."

expressivist trajectory.[87] Thus, a single person can display an experiential-expressivist engagement with religion when thinking theologically and use quite different forms of discourse in nontheological modalities. Lindbeck initially leaves the question open whether this model needs to be transcended, although it is clear that doing so would be his preference.[88]

Catholic "Two-Dimensional" Model

Lindbeck's categories are not as easily applied to many twentieth-century Catholic thinkers, a fact he seems to grasp when he says that there is "a third approach, …[that] attempts to combine these two emphases [experiential–expressivism and cognitive–propositionalism]."[89] He includes both Karl Rahner and Bernard Lonergan in this category, but believes that Lonergan at least leans toward the experiential–expressivist pole, giving him the very unflattering name of a "two-dimensional experiential–expressivist."[90] In part, this description is a product of Lindbeck's engagement with *Method in Theology,* which leads him to classify five of what he calls "Lonergan's six theses of the Theory of Religion" as "characteristic of experiential expressivism in general."[91]

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[87] He does also recognize the resistance which various neo-conservative/neo-Barthian schools are giving to the broader cultural trend, but at least in *Nature of Doctrine*, Lindbeck seems convinced that the cultural day has been won by experiential-expressivists.

[88] Ibid., 25.

[89] Ibid., 16.

[90] In saying this, Lindbeck is intending to say that Lonergan is more than one-dimensional, not that he is lacking depth. Ibid., 31. Confusingly, Lindbeck also chooses Lonergan as his prime example of experiential-expressivism throughout chapter two, perhaps in part because as a "two-dimensional" thinker, Lindbeck sees Lonergan's proposal as among the most worthy of the experiential-expressivist positions.

[91] Ibid., 31. It is unclear to me what Lindbeck is doing here. Chapter 4 of Lonergan's *Method* does not seem to have "six theses of the Theory of Religion." Lindbeck seems therefore to be offering a

In describing these "two-dimensional" attempts, Lindbeck is generally

appreciative, not least because of their ecumenical usefulness. Because he understands

them as drawing alternately from both of his major typologies, however, he believes that

such thinkers require a means of deciding when one must treat a particular doctrine

propositionally and when it is to be read experientially. It is here that Lindbeck thinks the

hybrid types run into trouble.

> Even at their best, as in Rahner and Lonergan, [the hybrid types] resort to
> complicated intellectual gymnastics and to that extent are unpersuasive. They are
> also weak in criteria for determining when a given doctrinal development is
> consistent with the sources of faith, and they are therefore unable to avoid a rather
> greater reliance on the magisterium, the official teaching authority of the church,
> for decisions in such matters than all Reformation Protestants and many Catholics
> consider desirable. In short, although two-dimensional views are superior for
> ecumenical purposes in that they do not *a priori* exclude doctrinal reconciliation
> without capitulation as do simple propositionalism and simple symbolism, yet
> their explanations of how this is possible tend to be too awkward and complex to
> be easily intelligible or convincing.[92]

This is a location of major difficulty in Lindbeck's engagement with Fr. Lonergan. It is

likely that he is making a category error here that haunts much of the book. In describing

doctrines, we are necessarily dealing with the internal language of a religion, and his

ecumenical project is seeking to describe the conversation between two subsets of

Christian speakers. To insist that Lonergan's account of how Catholic Christians make

determinations about what is changeable and unchangeable within a Catholic theology be

acceptable to Protestants flies in the face of Lindbeck's stated goals.[93] Here, an attention

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composite or compound reading of Lonergan's chapter 4. It seems that his six theses range from reasonable reads of Lonergan through minor confusions to major misunderstandings. See Bernard J.F. Lonergan, *Method in Theology,* (New York: Herder & Herder, 1972): 101–124.

[92] Lindbeck, *Nature of Doctrine,* 31.

[93] Nevertheless, his engagement with Rahner and Lonergan reflects a common experience of Protestants reading contemporary Roman Catholic theology. The decisions contained in such works regarding how prior ecclesial teachings are to be reinterpreted in the present often do seem capricious. This

to the difference between himself and Lonergan would not only make him a better reader of Lonergan's project, but would strengthen his account of intra-Christian difference and the possibility of recognizing in it a situation of reconciled diversity. It seems that he at times treats his own categories of engagement with truth as if they were disembodied from particular ways of being religious in the world.

Lindbeck's Postliberal Model

Against all of these models, Lindbeck proposes his own, that he calls "cultural-linguistic" or "postliberal." He argues that it properly constitutes a third model and is not merely a recombination of the two major categories. In this, it is fundamentally different than his interpretation of Rahner and Lonergan. Lindbeck proposes that doctrines function as grammatical rules by which true things can be said within a particular cultural-linguistic context. To say "Jesus is *homoousious* with the Father," therefore, is a rule which, when followed, allows Christians to speak and act in ways appropriate to the gospel. Doctrines are therefore properly-speaking rules that allow the truth to be expressed, not the truth themselves.

Lindbeck believes that this proposal can explain how Christian faith makes objective truth claims, while allowing for both historical development and the reconciliation of apparent contradictions (P and ~P) in some cases without doctrinal capitulation by one side. He examines, for example, how papal infallibility works within the cultural-linguistic situation of contemporary Roman Catholicism and argues that its affirmation there is not incompatible with the Lutheran refusal of such an infallible

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is more often the product of the reader's beginner's grasp of the grammar of the Catholic dialect than a fundamental flaw in the Catholic thinker's engagement with the past.

teaching office within the Lutheran cultural-linguistic system. Similar arguments are made regarding the necessity of Nicaea and Chalcedon and the Marian dogmas promulgated in the last century and a half.[94]

There are several aspects of this proposal that can be difficult to grasp. To start, as John Allan Knight points out, Lindbeck uses three distinct senses of the word "truth."[95] These are "ontological," regarding correspondence to reality; "intrasystematic," regarding the coherence of claims within a system; and "categorical," which asks if the categories of a system are adequate to describing perceived reality.[96] What Lindbeck means by speaking of the truth of an utterance in any given context is complex and requires attention to the inter-working of several of these categories.

Articulating the distinction between ontological and intrasystematic truth provides the occasion of his famous example of the crusader's cry, which will serve to elucidate the interaction of these categories. Considering the utterance, "*Christus est Dominus*" Lindbeck suggests that while it is generally a true statement within the Christian system, it loses its intrasystematic truth if used to support the cleaving of infidel heads. Because

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[94] A more in depth engagement with Lindbeck's examples and their applicability to ecumenical reconciliation of difference is found in chapter three beginning on p. 158.

[95] John Allen Knight, *Liberalism Versus Postliberalism: The Great Divide in Twentieth-Century Theology*, (New York: Oxford University Press, 2013): 203.

[96] Knight cites *Nature of Doctrine,* 48 and 64–66. At the former, Lindbeck describes religions as "categorically true" which have adequate categories. These "are those which can be made to apply to what is taken to be real, and which therefore make possible, though they do not guarantee, propositional, practical, and symbolic truth." At the latter, Lindbeck distinguishes between the other two categories of truth. From Lindbeck himself, it is unclear how Lindbeck would relate categorical truth to the other two categories, and Knight does not weigh in on the matter. To start, they describe different kinds of things. Religions may be described as categorically true, while particular "utterances," to use Lindbeck's language are the object of the distinction between the other two. Nevertheless, the various categories of truth which Lindbeck engages certainly contributes to the impression that he is unable to give a robust enough account of the truth of particular doctrinal claims to support the emphasis which Christians have historically given them. As mentioned above, this critique is made by Alister McGrath; it is also present in Tilman Anselm Ramelow, *Beyond Modernism?: George Lindbeck and the Linguistic Turn in Theology*, (Neuried: ars una Verlagsgesellschaft, 2005).

intrasystematic truth is "a necessary but not sufficient condition for ontological truth,"
Lindbeck would have to say that in such a situation, the utterance loses not only its
intrasystematic truth, but also its ontological veracity.[97] This is because the
correspondence that Lindbeck is judging between an utterance and reality is mediated by
a way of life and cannot be separated from it. As there are no immediate utterances, no
utterance can be true except as it is embedded in a system of thought, action, and
commitment.

Perhaps Lindbeck's point would be better expressed in terms of a distinction
between *cultural-linguistic coherence* and *ontological truth*. If religious systems are
considered as cultural-linguistic complexes, then cultural-linguistic coherence
(Lindbeck's intrasystematic truth) is the necessary condition of saying something
meaningful about what is (Lindbeck's ontological truth). A certain fluency in a language
is necessary for expressing true statements in it, but does not guarantee that what one says
is true. The crusader in Lindbeck's example above proves by his inappropriate use of
Christian language ("*Christus est dominus*" as supporting skull-cleaving) that he is not
speaking the Christian language, thereby robbing his utterance of any context in which it
can be interpreted as a meaningful statement about what is. He has become a speaker of a
heretical dialect sharing a *faux amis* with the Christian language, but to disastrous
outcome: the Prince of Peace is made into a violent idol.

Lindbeck sees a correspondence between his understanding of truth and the
doctrine of analogy in Thomas Aquinas, which bears more careful consideration.[98] The

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[97] Lindbeck, *Nature of Doctrine,* 65.

[98] This correspondence may also go a long way towards mitigating the concerns voiced by
McGrath (see p. 122, below) insofar as it provides a means to explain how Lindbeck understand religious
statements to really bear true meaning about the world, albeit in a different mode.

doctrine of analogy is difficult to define well, except perhaps through the practical

process of the *via affirmativa, via negativa, via emminentiae*, described by Pseudo-

Dionysius and taken up by Thomas.[99] Of course, this process itself constitutes a kind of

analogy, as will all descriptions of analogous forms of knowledge. Lindbeck's

description of Thomistic analogy, however, seems to evacuate truth claims about God of

any real meaning. He compares "God is good" in the angelic doctor to a non-physicist's

pronunciation of "Space-time is a four-dimensional continuum" and argues that this has

no positive effect because the speaker does not know (or is incapable of knowing) the

"sense in which this statement is true or even meaningful."[100] Statements about God, for

Lindbeck, are therefore relegated to being rules against false statements.[101]

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[99]Thomas refers to Dionysius repeatedly through the questions on knowing God. He does try to describe analogous knowledge in other terms, for example, in ST I.Q13.A5.Resp, and this is helpful, but requires significant care in interpretation. "Non enim possumus nominare Deum nisi ex creaturis, ut supra dictum est. Et sic, quidquid dicitur de Deo et creaturis, dicitur secundum quod est aliquis ordo creaturae ad Deum, ut ad principium et causam, in qua praeexistunt excellenter omnes rerum perfectiones. Et iste modus communitatis medius est inter puram aequivocationem et simplicem univocationem. Neque enim in his quae analogice dicuntur, est una ratio, sicut est in univocis; nec totaliter diversa, sicut in aequivocis; sed nomen quod sic multipliciter dicitur, significat diversas proportiones ad aliquid unum; sicut sanum, de urina dictum, significat signum sanitatis animalis, de medicina vero dictum, significat causam eiusdem sanitatis." Here, Thomas suggests that "this mode of commonality [i.e. analogy] is a median between pure equivocation and simple univocity. For neither is the idea being said analogously one and the same, as in univocity; nor totally different, as in equivocity; but the thing is said as a multiplicity, signifying different proportion to one thing …" It is tempting in this to read him as describing analogy as a watered-down univocity. But this must be rejected because Thomas argues that the names we are considering (such as Good) are applied *more* properly to God than to creatures (in the next article, ST I.Q13.A6.Resp.), even though they are known in the opposite direction. Therefore, the analogous knowledge of God cannot be merely the knowing something which was already contained in the description of the creature, but must be the more eminent thing called divine goodness in which creaturely goodness participates in an analogous manner, and which therefore can incite a particular kind of analogous knowledge of God which is neither univocal nor equivocal, but of an entirely different kind.

[100] Lindbeck, *Nature of Doctrine,* 66.

[101] He goes so far as to describe them as having an "informational vacuity." Ibid., 67. This may be true insofar as we are picturing analogies as "containing" a morsel of truth within them (the husk/kernel analogy), for analogy is not watered-down equivocity, but one cannot push it so far as to mean that such statements are meaningless. They may operate minimally, as Lindbeck suggests, by eliminating false formulations ("God is good" = "God is not evil") but I will argue that they can also constructively prompt for tectonic shifts in meaning. This will be more properly engaged in the next chapter.

One of the ways in which the present proposal distinguishes itself from Lindbeck's is precisely its insistence on a certain kind of objectivity in a complex relationship with human subjectivity rooted in the structures of human knowing which have several inputs, including the world outside the person. It is thus

This understanding of analogy in Aquinas is insufficient; Thomas clearly understands analogy to bear positive meaning.[102] Nevertheless, it provides an important reminder that theological analogies are neither watered-down truth nor kernels of non-analogous meaning concealed inside a linguistic husk. Keeping this in mind, it is important to insist that, for Thomas and for Catholic theology in general, analogies do convey positive *analogous* meaning, which is capable of prompting its hearer into a better conception of the Christian understanding of God. How this may be better described will be engaged at length in chapter three, but for now, an analogy might be helpful: just as one cannot say that a human "contains" a soul, one should not say that an analogy "contains" truth. Rather, for Thomas, the soul is instantiated in the body. By looking for the soul inside a human, one would destroy the human and lose the soul also. In the same way, real truth is instantiated in an analogy, but not in a way that it could be extracted or made present without being so instantiated.

Meaning, Language, & Dialect: Lindbeck & Ecumenical Consensus

Bringing Lindbeck more explicitly back to his own stated arena, we can now ask how all of this relates to the ecumenical project. One of the weaknesses of *Nature of Doctrine* is its inability to keep the ecumenical question in focus, often being drawn off-

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somewhat differentiated from both options of what Richard Lints has called the Postpositivist choice: "Notice the fashion in which the postliberal 'leans' in the direction of the postpositivist critique of the verifiability criterion and Tracy and moderate postmoderns "lean" in the direction of the postpositivist critique of the objectivity of knowledge. The one is concerned more narrowly with the structures of human knowledge and the other is concerned with the relative objectivity of that knowledge" "The Postpositivist Choice: Tracy or Lindbeck," *JAAR* 61 no.4 (1993): 670.

[102] For a careful engagement with why analogies in Thomas have to be understood as having positive content and not merely ruling out negative positions, see Robert Masson, *Without Metaphor, No Saving God*, (Leuven: Peeters, 2014), 129–46. This will be engaged more specifically in chapter three.

track by a failure to adequately distinguish the interreligious from the ecumenical on the one hand and to attend to the real differences between Christian dialects on the other.[103] This is not to say that Lindbeck's proposal does not give an account of the question he begins by asking. It is merely to suggest that he passes up opportunities for developing these distinctions in a way that would strengthen his answer.

In describing the conditions for the possibility of truth, Lindbeck is working simultaneously on two levels, but in order to adequately describe ecumenical dialogue, the reader needs to consciously add a third. His levels of discourse are the sociological (outsider language about religion) and theological (insider language of a religion); this provides a useful framework for describing what it means to say that a religion is true. The pattern, however, is slightly mismatched to his stated goal of explaining the experience of "reconciliation without capitulation" in the ecumenical dialogues.[104] These dialogues take place within the theological sphere, but between two distinct, and officially opposed, "dialects" of Christian theological language. The goal of reconciliation would be not only improper but meaningless in the wider "sociological" frame that he uses to make his proposal clear. Interreligious conversations do not share the ecumenical goal of reconciliation and unity. Mutual understanding is a difficult enough task at the interreligious level; ecumenical reconciliation (especially without

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[103] This may help explain the fact of the book's reception having occurred primarily by theologians interested in questions other than ecumenism, referred to above at note 80 of this chapter. Lindbeck does not seem unaware of the problem, returning to it in a chapter published by Lindbeck as "Relations interreligieuses et œcuménisme: Le chapitre 3 de *La nature des doctrines* revisité," 183–96 in *Postlibéralisme?: La théologie de George Lindbeck et sa réception*, Marc Boss, Gilles Emery and Pierre Gisel, eds., (Montreal: Éditions Fides, 2004). The original English text was subsequently published as "Interreligious Relations and Christian Ecumenism: Revisiting Chapter 3 of *The Nature of Doctrine*,"125–40 in *The Nature of Doctrine: 25th Anniversary Edition*, (Louisville: Westminster John Knox, 2009).

[104] Lindbeck, *Nature of Doctrine*, 16–17.

capitulation) is a much more difficult goal and requires a substantially more subtle

engagement with the question of truth and difference.

Stated another way, Christianity's internal logic requires unity for coherence.

There cannot be multiple, separate Christianities because there is only one Christ. The

earliest Christian writers recognized this and warned the churches against internal and

trans-local schism.[105] Responding to the incompatibility of separated Churches with

Christian thought, the ecumenical project of dialogue aimed at unity seeks to correct this

incoherence and allow the churches to speak the Gospel more intelligibly for the sake of

the world.[106] In the process, those involved in the dialogues have come to points at which

what seemed at first to be church-dividing difference was found to be a unity in the

shared Christian heritage without any substantive change having taken place. Regarding

doctrine, Lindbeck's cultural-linguistic model is capable of explaining this situation, but

doing so requires sustained attention to both the ways that differing Christianities are A)

sharers in a common language and B) distinct (and potentially contradictory) dialects of

that same language.

As an example of why this is difficult, we might consider in more depth

Lindbeck's engagement with Bernard Lonergan, whom he takes to be a good example of

experiential-expressivism. There are some historical accidents that may have contributed

to Lindbeck's choice of interlocutor, specifically his repeated invitations to give named

lectures the year after Lonergan in the mid-1970s. In 1974, Lindbeck gave the St.

Michael's Lectures at Gonzaga University. These required him to engage directly with

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[105] This is an overarching theme throughout the NT, famously throughout the Johannine Corpus and the Acts of the Apostles, but also throughout the Epistles. See particularly Rom 14; Gal 1–2; Eph 4; 1 Cor 1–3.

[106] Cf. Jn. 17:21.

Lonergan's thought on related matters.[107] The following year, Lindbeck gave the Père Marquette Lecture at Marquette University and referenced Fr. Lonergan's Père Marquette lecture of the previous year. The St. Michael's lectures are especially important in this history, as Lindbeck writes that they were the seed of *The Nature of Doctrine.*[108]

The problematic aspect of Lindbeck's engagement with Lonergan relates to the ecclesial location of the two thinkers. Lindbeck first treats Lonergan as a "two-dimensional" experiential expressivist in the first chapter, while acknowledging that his position is particularly Roman Catholic.[109] He then chooses Lonergan as his example of an undifferentiated "experiential-expressivism" in chapter two, treating the difference between Lindbeck's own Lutheranism and Lonergan's Roman Catholicism as an unimportant detail in the discussion. This is understandable, as Lindbeck is attempting to describe a common (Christian) horizon in which the ecumenical experience is sensible, but by assuming a common Christian language early on, he weakens the chapter in which he applies his theory developed in terms of differing *religions* to particularly intra-Christian, ecumenical conversation.

Using Lonergan's Catholic theory as his example of a generically experiential-expressivist position leads Lindbeck into two difficulties. First, he insufficiently attends to the distinctively Catholic elements of Lonergan's thought. Second, this weakens his case for applying his insight to ecumenical conversation. Beginning with the central

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[107] For a description of the St. Michael's Lectures and the charge given to the lecturers, see Foreword to *Philosophy of God and Theology*, (Philadelphia: The Westminster Press, 1973), vii. Lindbeck's lectures have not been published, and exist only as heavily-edited (and somewhat incomplete) typescripts in the Lindbeck archive at Yale University: Record Group No. 172; Box 29, Folder 581 "Gonzaga Lectures, St. Michael's" n.d. [1974].

[108] Lindbeck, *Nature of Doctrine,* 12.

[109] Ibid., 16–17.

insight of the book —itself situated in the ecumenical difference between Lutherans and Catholics— would have allowed him to expand his insight to the inter-religious sphere with fewer problematic gaps in the argument.

Nevertheless, Christian division is never total. Separated churches demonstrate varying levels of common language, culture, and commitments. Sometimes seemingly large differences are not counted as church dividing; at other points, smaller differences are.[110] At stake is not merely a way of accounting for human difference, but for doing so within the theological conviction that the church is one.

Lindbeck's thesis can also allow for an account of Christian unity in terms of the shared patterns of not only doctrine, but of prayer. One can look to the classical Christian theological understanding of the relationship between doctrine and doxology for a grounding of both Lindbeck's insight about the necessity of categorical truth for ontological truth, and the ecclesial effect of shared patterns of worship among the separated churches. The liturgy is classically called *theologia prima*, implying that what we usually term "theology" is really *theologia secunda*;[111] Prosper of Aquitaine's motto, *legem credendi lex statuat supplicandi,* often shortened to the pithy *lex orandi, lex credendi,* reinforces the point.[112] Because Lindbeck argues that truth is located in

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[110] One could consider Pope John Paul II's recognition of the validity of the Anaphora of Addai and Mari in the Assyrian Church of the East on the one hand, and the many divisions over particular aspects of biblical interpretation among some American Protestant communities on the other. Why one or the other is church dividing or not can only be interpreted from within the communities. An outsider who does not speak the local language remains mystified as to why either seemingly small differences matter, or seemingly large ones do not. This question will be revisited in chapter three beginning at p. 150.

[111] This is mirrored in Lindbeck's insistence that doctrines are "second order guidelines for Christian discourse," *Nature of Doctrine,* 94. He makes the connection to the liturgy explicit here in the note.

[112] Prosper of Aquitaine, *Praeteritorum sedis apostolicae episcoporum auctoritates, de gratia dei et libero voluntatis arbitrio*, ch. 8. PL 51, col. 0209c. While it is a bit of an excursus, it is worth noting that Prosper's motto is making a somewhat more complex point. Specifically, the apostolic origin and universal nature of the liturgy makes it, for Prosper, to be an unimpeachable guide for theological reflection. This is,

particular cultures, languages, and ways of acting (for example, his famous crusader),

liturgical action is part of the cultural-linguistic framework in which makes it possible to

express Christian truth.[113] Moreover, attending to the ways in which common Christian

liturgical action shapes the grammar of faith in the various communities provides another

venue for articulating a different kind of differentiated consensus.[114]

Indeed, such questions have been receiving more direct attention in the

contemporary dialogues, even in several of the harsher critiques of the JDDJ.[115] While it

is heartening that the liturgical life of the church is being treated as a theological locus,

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of course, quite different from both the usual assumptions made in employing either Prosper's motto or the shorter *lex orandi, lex credendi.* Nevertheless, the motto and its later use are worth considering in this context.

    Prosper's full sentence is, "Alongside of the inviolate law of the most blessed and apostolic see, by which our most pious fathers, rejecting the arrogance of pestilential novelty, have taught [us] to attribute to Christ's grace both in its beginnings in good will, and in the commendable progress of zeal, and even in being preserved in these efforts to the end, let us consider as well the rites of the priestly sacraments/rites, which having been received from the apostles, are celebrated in the same way in the entire world and throughout the whole catholic church, such that the law of prayer establishes the law of belief." "*Praeter beatissimae et apostolicae sedis inviolabiles sanctiones, quibus nos piissimi patres, pestiferae novitatis elatione dejecta, et bonae voluntatis exordia, et incrementa probabilium studiorum, et in eis usque in finem perseverantiam ad Christi gratiam referre docuerunt, obsecrationum quoque sacerdotalium sacramenta respiciamus, quae ab apostolis tradita, in toto mundo atque in omni catholica Ecclesia uniformiter celebrantur, ut legem credendi lex statuat supplicandi.*"

[113] Lindbeck has a category for describing Christians who are not theologically trained but are liturgically formed. He calls them "flexibly devout." Such persons "have so interiorized the grammar of their religion that they are reliable judges, not directly of the doctrinal formulations (for these may be too technical for them to understand), but of the acceptability or unacceptability of the consequences of these formulations in ordinary religious life and language." *Nature of Doctrine*, 100.

[114] Significant attention has been given to this question by Maxwell E. Johnson, "Ecumenism and the Study of Liturgy: What Shall We Do Now?" *Liturgical Ministry* 20 (2011):13–21; Idem, "The Loss of a Common Language: The End of Ecumenical-Liturgical Convergence?" The Aidan Kavanagh Lecture, October 10, 2006, *Colloquium: Music, Worship, and the Arts* (New Haven: Yale Institute of Sacred Music, 2010): 27–39; Idem, "Liturgy and Ecumenism: Gifts, Challenges, and Hopes for a Renewed Vision," *Worship* 80, no.1 (2006): 2–29. See also, Geoffrey Wainwright, *Worship with One Accord: Where Liturgy and Ecumenism Embrace*, (New York: Oxford University Press, 1997); and an excellent collection edited by James F. Puglisi, *Liturgical Renewal as a Way to Christian Unity*, (Collegeville: Liturgical Press, 2005).

[115] See particularly the response of the General Synod of the Malagasy Lutheran Church, GER–DER C.17. This is discussed at some length in chapter one on p. 38. The question at stake is the particular theological importance of the Roman Church having declared Victoire Rasoamanarivo to be a Blessed in 1990. She was a Malagasy woman who had resisted attempts to convert her to Protestantism. The Malagasy Lutheran Church's response also engages the question of the compatibility of the eucharistic theology of the Second Vatican Council, specifically the idea of the sacrifice of the mass, with the JDDJ.

interpreting the liturgical life of the separated brethren will require as much or more charity and care as interpreting their doctrine.

Responses to and Developments of Lindbeck's Model

While Lindbeck's proposal was clearly intended to describe the ecumenical experience and serve as an explanation for the possibility of "doctrinal reconciliation without capitulation," the reception of the book has taken place mostly outside of specifically ecumenical circles.[116] As discussed above, it has been much more influential in general investigations of hermeneutics and doctrine.[117] It is, however, important to keep Lindbeck's insight tethered to the experience of ecumenical dialogue, even when it is being used in other ways. Doing so provides a framework that keeps his engagements with truth, consensus and doctrine in proper relationship.

An example of why this framing is important is found in the critique of Lindbeck offered by Alister McGrath. Its most central point is that there is "a fractional degree of phenomenological isomorphism between 'doctrine' as it is encountered as an historical phenomenon on the one hand, and as it is defined by such historically- and socially-abstracted theories (such as Lindbeck) on the other."[118] McGrath offers four theses regarding what major dimensions "doctrine has been understood to possess" within Christian history, primarily focused *ad intra*.[119] They are:

1. Doctrine functions as a social demarcator.

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[116] Lindbeck, *Nature of Doctrine*, 16.

[117] See n. 80 above.

[118] McGrath, *Genesis of Doctrine*, 36–37.

[119] Ibid., 37.

2. Doctrine is generated by, and subsequently interprets the Christian narrative.
3. Doctrine interprets experience.
4. Doctrine makes truth claims.[120]

These are helpful. Although they are themselves abstractions, they are of a different kind than Lindbeck's, for they function as descriptors of the roles played by doctrine within any particular dialect of Christian life, not at their borders. What's more, it is likely that Lindbeck would accept all four of these descriptors, albeit within his own understanding of what it means to say that something in a cultural-linguistic system is true. As shown above, for an utterance to bear ontological truth for Lindbeck, it must first be intrasystematically true within a categorically true system. McGrath's attention to historical factors in the development of doctrine is important, perhaps more important in his thought than for Lindbeck.[121] An attention to the development of doctrine in Christian history, however, will show that the role any particular doctrine plays in a later era, even our own historically aware era, is not necessarily determined by the factors of its formulation.[122]

Like many readers, McGrath misunderstands the purpose and venue of Lindbeck's abstraction. Lindbeck's proposal is at the service of a discussion between speakers of Christian dialects, or even between Christian and non-Christian languages. It is not primarily intended as a description of doctrine as it functions within a particular church. To extend the grammatical metaphor, Lindbeck's is a descriptivist position, and

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[120] Ibid.

[121] This point is made by Ronald T. Michener, *Postliberal Theology: A Guide for the Perplexed*, (New York: Bloomsbury T&T Clark, 2013), 101–102.

[122] As an example which is pertinent to our current project, the reader might consider how the historical-critical research leading to the "New Perspective on Paul" does not immediately or even necessarily remove traditional Lutheran positions on justification as a theological possibility in the contemporary era.

is therefore not terribly helpful to any particular speaker within his own vernacular. Only when trying to learn another dialect or language do the abstracted rules of grammar become absolutely necessary.[123]

Having engaged several proposals of how to understand ecumenical consensus in difference, we can now turn back to the Joint Declaration to show how these questions require an answer if we are to properly read its claims. The remainder of this chapter will seek to make the questions raised by the authors engaged in this chapter as clear as possible. The following chapter will locate those questions within a different framework, within which the final two chapters can demonstrate that the JDDJ is naming a real ecumenical consensus on the eschatological nature of the baptized.

The JDDJ and Consensus: The Need for an Explanation

An understanding of inter-Christian engagement as "doctrinal reconciliation without capitulation," is central to the aims of the JDDJ and indeed to bilateral interconfessional dialogue in general. Interpreters of these documents must be able to provide a framework for explaining why the ecumenical program of differentiated consensus is not merely equivocation,[124] juxtaposition of the incompatible,[125] or evidence

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[123] It could be argued from a more pedagogical direction that such rules are helpful to those learning to speak a language properly. This critique, however neglects the reality that official languages (Hochdeutsch, academic English, the French of the *Académie Française*) are themselves dialects which speakers of other regional, socio-economic or ethnic dialects are learning as foreign languages in school and for whom learning the rules of its grammar is necessary.

[124] As argued by the Göttingen faculty to LK, and taken up by many critics of the JDDJ. See p. 27 above.

[125] As in Daphne Hampson. See p. 87 above.

that the doctrines themselves have lost their importance.[126] But in order to be convincing

to those who have not experienced the central moment of insight described by

Lindbeck,[127] this will require some further explanation of how it is rooted in human

cultural-linguistic engagement with the world. The following chapter will bring to bear

insights from cognitive linguistics to explain how language and culture create the

"blends" which bear meaning in human language and that allow for the same words or

actions to bear different, and even possibly contradictory, meaning in different socio-

cultural locations, even as dialects of the same language (English) or the same religious

tradition (Christianity).

As Catherine Clifford argues, the rocky initial reception that the JDDJ received

from both the German professors of theology and the CDF may merely show that these

receptors were "ill-equipped to evaluate the rapport between the proposed common

confession of faith and the different articulations of the partner in dialogue."[128] This

interpretation becomes especially likely given that the document was shortly thereafter

publically and officially affirmed by both the LWF and the Catholic Church. Considering

what the JDDJ's differentiated consensus requires on the part of the receiving churches,

Clifford argues that it calls for an act of judgment in light of several decades of ongoing

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[126] As in Ulrich H. J. Körtner. See p. 89 above.

[127] This was quoted at the conclusion of the previous chapter, but to remind the reader: dialogue members "say they have been compelled by the evidence, sometimes against their earlier inclinations, to conclude that positions that were once really opposed are now readily reconcilable, even though these positions remain in a significant sense identical to what they were before. … [T]he problem is not with the reality but with the comprehensibility of this strange combination of constancy and change, unity and diversity. The proper response in that case is not to deny the reality on the grounds that it seems impossible, but rather to seek to explain its possibility." Lindbeck, *Nature of Doctrine*, 15.

[128] Catherine Clifford, "The Joint Declaration, Method, and the Hermeneutics of Ecumenical Consensus," 80–81.

dialogue.[129] They were asked to make a binding decision precisely about a differentiated consensus in the truth regarding justification. Their task was to consider whether the confessional positions that were "developed over and against the other" could be now rethought in ways that could allow the other's position and recognize it as an appropriate Christian elaboration of the Gospel.[130]

She reads the nervous reception of the JDDJ as demonstrating habits of thought that are insufficiently attentive to the church's need to not merely restate past positions but to interpret them in light of new situations. Specifically, the "future reception of ecumenical consensus will depend largely upon our ability to clarify the hermeneutics both of contemporary agreed statements and of the historical articulations of faith that have so defined the culture of the churches."[131] Clifford's project in this article is to provide such a hermeneutic for interpreting the JDDJ, and indeed the products of all ecumenical dialogues, using the categories of Bernard Lonergan. It will help to clarify the necessity for an explanation of differentiated consensus, and so will receive a more detailed description here.

Lonergan divides theological engagement into eight "functional specializations," tied to his four conscious intentional operations of experiencing, understanding, judging, and deciding. Each operation has a mediating phase (listening) and a mediated phase (proclamation).[132] While the JDDJ benefits from renewed research into scripture, history,

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[129] Ibid., 81, pointing to JDDJ §4, "The time has therefore come to take stock and to summarize the results of the dialogues on justification so that our churches may be informed about the overall results of this dialogue … and thereby be enabled to make binding decisions."

[130] Clifford, "JD, Method, and the Hermeneutics of Ecumenical Consensus," 82.

[131] Ibid.

[132] This system of understanding is better expressed graphically, thus:

and the mutual engagement of Lutherans and Catholics,[133] Clifford attends primarily to

the transition from Dialectic to Foundations, which she relates to conversion, "the way

beyond contradictory positions and understandings."[134] For Lonergan, foundations are

tied closely to conversion, and represent "the horizon within which the meaning of

doctrines can be apprehended."[135] As such, the JDDJ represents a new such horizon,

within which the functional specialties of Doctrines, Systematics and Communications

will be carried out by both Lutherans and Catholics. As she notes, the JDDJ itself seems

to have a similar future in mind, as it suggests that future dialogue between the churches

and the internal teaching of the churches, will be done in light of the consensus expressed

	Mediating Phase	**Mediated Phase**
Deciding	Dialectic →	↓ Foundations
Judging	History ↑	↓ Doctrines
Understanding	Interpretation ↑	↓ Systematics
Experiencing	Research ↑	Communications

Robert M. Doran has argued that Lonergan's specialization "Foundations" is better split in two, "Horizons" and "Categories." The distinction clarifies how one transitions from the mediating phase to the mediated, because in Horizons what is mediated is "the mediating subject." This relates to the present discussion because it recognizes that theology is not merely mediating historical positions to the present, but is a "mutual self-mediation of the historically constituted community of faith and its contemporary cultural contexts. The mutual self-mediation in question here results from an encounter and dialogue of persons with different horizons." Doran, *What is Systematic Theology*, (Buffalo: University of Toronto Press, 2005), 198.

[133] So, for example, see JDDJ §§8-12 in particular, as well as its attention to the predecessor documents LK and JF.

[134] Clifford, "JD, Method, and the Hermeneutics of Ecumenical Consensus," 84.

[135] Lonergan, *Method,* 101. A Lonerganian engagement with Ecumenical Dialogue would be well served to attend to the engagements with the "fifth level of consciousness" proposed by Robert Doran, SJ, as it provides a description particularly of the transition from the mediated phase to the mediating phase. It is particularly remarkable in the context of this chapter that it is described in terms of "Love," for the particular conversion which makes ecumenical dialogue capable of precipitating a new consensus is the recognition of the church in the other, something which is impossible without the work of the Spirit and indeed the infusion of *caritas*. This engagement would support and strengthen Harding Meyer's engagement with the subject above, along with that of Hietamäki and indeed Clifford. Nevertheless, it must remain merely a side remark for now. On the topic of the ninth functional specialty, see, Robert M. Doran, SJ, *The Trinity in History: A Theology of the Divine Missions*, (Toronto: University of Toronto Press, 2012); Michael Vertin, "Lonergan on Consciousness: Is there a Fifth Level?" *Method: Journal of Lonergan Studies,* 12, no. 1 (1994): 1–36; and Jeremy W. Blackwood, "Sanctifying Grace, Elevation, and the Fifth Level of Consciousness," *Method: Journal of Lonergan Studies,* n.s. 2, no 2 (2001): 143–161.

in the Declaration.[136] For Lonergan (and Clifford), the contemporary world recognizes that culture cannot be expressed in terms of unchanging universal achievements (this Lonergan calls the "classicist worldview") but in light of change, history, and development (what Lonergan calls the "empirical notion of culture").[137] Clifford sees the classicist worldview at work in those who call the JDDJ a betrayal of earlier commitments, a judgment that bears a close resemblance to what Lindbeck might call a cognitive-propositionalist understanding of doctrine.

Her description of a Lonerganian hermeneutic for interpreting the JDDJ emphasizes the need for an explanation of *why* it is not mere equivocation when dialogues in general, and the JDDJ in particular, suggest that a consensus exists despite widely diverging forms of thought, easily visible in different "language, theological elaboration, and emphasis."[138] Lindbeck's proposal for a post-liberal theology similarly names how theologies work within different cultural linguistic systems and asks his reader to agree that their difference need not be church dividing in every case. However, it provides little in the way of an explanatory theory as to *why* cultural-linguistic systems might be capable of sharing a single gospel in what appear to be divergent or even apparently contradictory forms. Lindbeck points to several examples of difference and argues that these are examples of precisely such a non-divisive difference. Without some underlying theory, however, his examples are easily dismissed as either equivocation or

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[136] JDDJ §43: "Our consensus in basic truths of the doctrine of justification must come to influence the life and teachings of our churches. Here it must prove itself. In this respect, questions of varying importance still need further clarification." The first half of this describes the effect of JDDJ on the churches, the second on the ongoing dialogue itself.

[137] Lonergan, *Method*, 300–302.

[138] JDDJ §40.

falsely-irenic ecumenism, a charge also made against both *Lehrverurteilungen —*

Kirchentrennend? and the JDDJ.[139]

Chapter Conclusions

Christian consensus will always mean consensus in the gospel; it will therefore

require an engagement with the interpretation of the witness of scripture and of Christian

tradition. The Lutheran–Roman Catholic dialogue is uniquely positioned to postulate

such a consensus because the questions at stake are historically well-defined and have

received extensive attention both before and after the tragic rupturing of communion in

the sixteenth century. A half-century of ecumenical engagement between these churches

has produced a conviction among members of the dialogue that significant consensus

exists on the issue of justification. The consensus that the dialogue came to recognize

must be "differentiated in itself" if it is to be receivable by the adherents of both

theological traditions. This is what the Joint Declaration on the Doctrine of Justification

sought to do with its tripartite structure of a common statement followed by Lutheran and

Roman Catholic explanations of their particular modes of discourse. Both the narration of

the reception process of the JDDJ in the first chapter and this chapter's more specific

engagement with the consensus in ecumenical dialogue have shown that the JDDJ's

presentation of the differentiated consensus that had crystallized in the previous decades

of dialogue is not convincing to many theological observers. I have argued that this is in

part due to a lacking explanatory underpinning which grapples head-on with the

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[139] By, for example, the Göttingen Faculty, the Luther Seminary Faculty, the LC-MS response and that of the SELK, several of the LWF "No" votes, and Daphne Hampson. See the first chapter for particular engagement with the question.

difficulties of theological language and culture to explain how apparently contradictory statements might in some cases be recognized to be complementary.

A simple understanding of *Übereinkunft* is demonstrated (to very different effect), in Körtner and Hampson's judgments about the JDDJ and its place in ecumenical theology. Dalferth allowed for a more culturally-conditioned engagement with *Übereinkunft*, arguing that a common document must be received differently in the contexts of different churches. This understanding has much to recommend it, but it may remain open to the charges of equivocation which are often levied against the JDDJ. Descriptions of differentiated consensus seek to overcome these troubles by describing a consensus that has arisen in the context of bilateral dialogue over time. These consensuses are differentiated insofar as they describe real commonality between positions which demonstrates a new horizon, different from the habitual horizon of either party, in which a new recognition of agreement is discovered.

Having recognized precisely such achievements in their ecumenical work, various theologians have sought to explain why it might be possible. Of these, I dealt most extensively with George Lindbeck's treatment, showing not only its potential riches, but that it would be greatly strengthened in its defense of ecumenical (differentiated) consensus if it were provided with a structure that could explain what about human language would allow the experience to be possible and thus to explain how the JDDJ and other ecumenical documents are sensible in their description of "reconciliation without capitulation."

The next chapter will therefore go somewhat further afield from theology in search of an explanatory model that can articulate how Lutherans and Catholics can

speak of the same things in such characteristically different ways, and yet over time

discern that despite the apparent contradiction, they are preaching one gospel. Cognitive

linguistic theory of analogy, metaphor, and meaning, particularly as appropriated by

Robert Masson, will provide a set of tools for analyzing the "blends" by which cultural-

linguistic meaning is constructed. These insights into the human construction of meaning

will then allow a return to the JDDJ in chapters four and five to reconsider the

anthropological description of the justified human being in the terms of Roman Catholics

(chapter four) and Lutherans (chapter five).

CHAPTER THREE:
DIFFERENTIATED CONSENSUS & COGNITIVE LINGUISTICS

Chapter Introduction

The previous chapter described contemporary theologians' engagement with the questions of meaning posed by the inherited wounds to the church's *koinonia* and contemporary attempts at ecclesial reconciliation through dialogue. The chief difficulty in accounting for such consensus was found to be giving an account of Christian commitment to truth in the experience of diversity that neither permitted every extant Christian expression nor required uniformity for the sake of unity. Several authors pointed to George A. Lindbeck's cultural-linguistic proposal as a possible means of holding on to both truth claims and difference, even in a situation of perceived contradiction. Lindbeck's insight, however, requires an explanatory underpinning capable of convincing skeptical readers that his "reconciliation without capitulation," or the JDDJ's "differentiated consensus" is more than mere equivocation.

One potential candidate to provide such a theoretical foundation can be found in the recent work of cognitive linguists.[1] This chapter will provide a brief introduction to

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[1] Other, parallel, theories of metaphoric knowing were developed during this same time. The most familiar to many theologians may be that of Mary Gerhart and Allan Russell. Their theory of "metaphoric process" developed from different concerns from that of the cognitive linguists, and as such has different language and emphasizes different concerns. I would argue that these theories are compatible, if distinct, however, that argument must be passed over due to the limitations of space. For an overview of Gerhart and Russell's work and its relationship to the cognitive linguistic proposal, see Masson, *Without Metaphor*, 22–24, 59–94. Gerhart and Russell's important works include *Metaphoric Process: The Creation of Scientific and Religious Understanding*, (Fort Worth: Texas Christian University Press, 1984); Idem, *New Maps for Old: Explorations in Science and Religion*, (New York: Continuum, 2001). A symposium containing articles authored by them, Betty Birner, and Robert Masson is also quite helpful, "Symposium: Metaphor as a Space for Religion/Science Engagement," *Zygon* 39 no. 1 (2004): 5–75.

the developments in that relatively new field over the last several decades. It will also

describe Robert Masson's application of these findings to theological language, and

extend his project in a direction toward which he gestures but which he does not

extensively develop. This direction is the ecumenical dialogues between divided

Christians. Finally, this chapter will describe the important "blends"[2] that contribute to

Lutheran and Catholic difference regarding the anthropology of the justified Christian.

The following two chapters will apply the theory developed in this chapter to the

traditional anthropological claims of Roman Catholics (chapter four) and Lutherans

(chapter five), to demonstrate that the JDDJ describes a real consensus, crystallized over

decades of bilateral dialogue.

It is important to notice to what kind of project I am applying the insights of this

cognitive linguistic analysis. I am not proposing a method by which dialogue should be

conducted, nor am I proposing an overarching frame into which both Lutheran and

Catholic theologies become relativized or sublated. Instead, I am proposing a model by

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Of course, there are also tantalizing similarities between the insights of the cognitive linguists and aspects of the thought of Paul Ricoeur, especially *The Rule of Metaphor: Multi-Disciplinary Studies of the Creation of Meaning in Language*, Robert Czerny, trans., (Buffalo: University of Toronto Press, 1977). Other important engagements with metaphoric thought and religious language include Herwi Rikhof, *The Concept of Church: A Methodological Inquiry into the Use of Metaphors in Ecclesiology,* (Sheperdstown, WV: Patmos Press, 1981); Janet Soskice, *Metaphor and Religious Language*, (Oxford: Clarendon, 1985); and Gary A. Anderson, *Sin: A History*, (New Haven: Yale University Press, 2009). The limits of this chapter do not allow a thorough engagement with these various understandings of metaphor, although Anderson's work, which draws on the thought of Lakoff and Johnson, does provide some intriguing parallels to understanding the habitual Catholic and Lutheran blends for "sin." See below at p. 215.

[2] That is, the complex which is the product of metaphorical thought in which "structure from two [or more] input spaces is projected to a new space, the blend." Fauconnier and Turner, *The Way We Think*, 47. In the technical language of the field, "In an integration network, the mental space which results from conceptual integration, giving rise to emergent structure." Vyvyan Evans, *A Glossary of Cognitive Linguistics*, (Edinburgh: Edinburgh University Press, 2007), 11. Also available at www.vyvevans.net/ GLOSSARY.pdf (Accessed July 14, 2014).

Through repeated use, it can come to bind the particular basic components more closely together in habits of thought such that it acquires its own stable existence that shapes meaning. Blends not only receive content from their "inputs," but have their own emergent content. This means that the blend can allow new meanings to develop.

which the differentiated consensus that crystallized in the context of ongoing bilateral

dialogue regarding justification, and which is described in the JDDJ, can be made more

appropriable to ecumenical non-specialists in the Lutheran and Roman Catholic churches.

I will return to this point in what follows.

From Conventional Literality to Embodied Metaphor

As a discipline, cognitive linguistics is relatively young and reasonably cohesive

in its vision. It seeks to explain how language functions to make meaning possible. It

does this by examining the structure of various human languages and the biological

structures which allow our perception and necessarily mediate it. Its practitioners design

experiments to test aspects of human cognition and the production of meaning. Its

insights are often counter-intuitive, but offer a means of abstracting from the

particularities of individual languages to gain a look at human cognition itself. For a

theologian, perhaps the most interesting aspect of their findings is how they describe

language that theologians call "literal," "metaphorical," and "analogical."[3]

In considering matters of meaning and of metaphor, we often assume the

"idealized conventional view" aptly summarized by Masson, in which:

> reason and concepts are abstract and disembodied. Literal meaning is the default
> position. Reasoning is primarily about propositions that can be objectively either
> true or false. The imaginative aspects of cognition —metonymy, metaphor, and
> mental images— are peripheral and deviations from literal meanings.[4]

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[3] These terms are used differently by different thinkers, often to opposite effect. If I am using the terms in a different manner than they are usually employed in classical theological texts, I will be very clear as to what I mean and why the term is being used in that manner.

[4] Masson, *Without Metaphor*, 31. The point about literality not being the default of human language with metaphor as a kind of "ornamental aspect of language, but a fundamental scheme by which people conceptualize the world and their own activities" is absolutely central to the argument of cognitive linguistics. This will be dealt with in what comes, but should be underlined at this point. Raymond W.

George Lakoff and his colleagues, on the basis of linguistic analysis and experimental

data, reject the folk-theory, central to much of Western epistemology, that reality is taken

in by humanity in a pre-structured form. This form supposedly includes pre-existing,

defined concepts and categories that humans learn to distil from what is. Because the

categories themselves exist outside of the human mind, reason itself can be said to be not

only exterior to the mind (disembodied), but abstract in its being. Therefore,

mathematical models are assumed to provide the central example of what reason is – a

manipulation of symbols that fairly adequately describe the exterior, pre-existent

structure of reality.[5]

In its place, a new embodied theory of knowing is posited that attends to not only

cultural and linguistic structures, but to human neurological development. It represents an

attempt to give a better answer to the relationship of subjective and objective aspects of

human knowing. The data from which these theories have arisen is of two sorts. First,

investigations of basic aspects of human experience across languages and cultures form a

particularly important beginning. Second, an attention to the findings of cognitive science

provides methods of investigating the biological and neurological structures which shape

how humans perceive and understand the world. One surprising and incredibly important

discovery is that categories previously described as universals (especially, time, space,

and color) demonstrate fundamental variations across cultures. Nevertheless, these

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Gibbs, Jr. "Metaphor and Thought: The State of the Art" 3–13 in *The Cambridge Handbook of Metaphor and Thought,* Raymond W. Gibbs, Jr., ed., (New York: Cambridge University Press, 2008), 3. See also, Dan Sperber and Deirdre Wilson, "A Deflationary Account of Metaphor," 84–105 and Rachel Giora, "Is Metaphor Unique?"143–160 in the same volume.

[5] For a clear, extended description of the roles of theories of the mind and its relationship to the outside world among the cognitive linguists, see Zoltán Kövecses, *Language, Mind, and Culture: A Practical Introduction,* (New York: Oxford, 2006), 3–37.

variations occur in patterns that are themselves explained by neurological and biological structures.[6]

While considerations of each of these supposedly universal categories contribute to understanding the embodied character of human understanding, color has become the primary example for explaining the complex mediation through which we engage the world. It is a felicitous example because, while relatively simple and part of everyday experience, it is capable of quickly demonstrating the interaction of exterior, anatomical, and cultural inputs. The perception of color is culturally determined, but also relates to underlying structures of the human body and to the structure of the world itself. It is thus truly connected to phenomena existing outside of us, but in a fundamentally mediated way.

The basic research on which this theory is based was conducted by Brent Berlin and Paul Kay in the 1960s. [7] They first defined "basic" and "non-basic" color terms in a

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[6] The basic theory of linguistic relativity was proposed by Benjamin Lee Whorf in the middle of the 20c. His research, based on differences between Indo-European languages and Hopi pointed to differences regarding color and time, but suggested that space might be a universal human experience, or "given substantially the same form by experience." Benjamin Lee Whorf, *Language, Thought and Reality: Selected Writings of Benjamin Lee Whorf,* John B. Carrol, ed. (Cambridge: MIT Press, 1956), 158–59.

Later research by John B. Haviland and Stephen Levinson describes linguistic families with substantially different experiences of space, related not to the human person (i.e. front, behind, left, right etc.), but reckoned with great specificity to the absolute orientation, (i.e. as equivalents of North, South, North-by-North-East, etc.). John B. Haviland, "Guugu Yimithirr" 27–180 in *Handbook of Australian Languages,* R.M. Dixon and B. Blake, eds., (Canberra: ANU Press, 1979); Stephen C. Levinson, *Language and Cognition: The Cognitive Consequences of Spatial Description in Guugu Yimithirr,* (Nijmegen: Cognitive Anthropology Research Group, 1992).

On this basis, Levinson argues, that "it can also be demonstrated experimentally that [Guugu Yimithirr speakers] remember spatial arrays not in terms of ego-centric co-ordinates … but in terms of the cardinal directions in which objects lie. Thus Guugu Yimithirr speakers appear to think about space in a fundamentally different way than we do." Idem, *Relativity in Spatial Conception and Description,* in *Rethinking Linguistic Relativity*, J. Gumperz and Stephen C. Levinson, eds., (Cambridge: Cambridge University Press, 1996), 180.

[7] It is summarized in all of the major authors. I will be citing the description of their findings found in Kövecses, *Language, Mind, and Culture,* 31–33.

variety of languages.[8] They sought to define where the boundaries lay between these basic colors. They also asked subjects to identify the "best examples" of each basic term. Eleven "focal colors" emerged consistently across languages, although not all languages had all of the focal colors. No languages were found with more than eleven focal colors. Most importantly, they found an evolutionary hierarchy among the focal colors:

> Black, White
> Red
> Yellow, Blue, Green
> Brown
> Purple, Pink, Orange, Gray.[9]

In a language with two basic colors, they will be black and white. The third will always be red. The fourth, fifth, and sixth will be yellow, blue, and green, emerging in different orders in different languages. As languages add more colors, they continue to expand in this manner according to the chart above.

The universal structure by which this pattern emerges in human language relates to several distinct inputs. First, there is the outside world, without which, there would be no sense perception. Second, our visual experience of the world is mediated by the particular structure of human eyes, which contain a variety of photoreceptor cells:

1) Cells that sense darkness and light (rods),
2) Long cone cells, most sensitive to long-wavelength light, i.e. yellow-red (peak response is to light with a wavelength c. 570 nm),
3) Medium cone cells, most sensitive to green light (peak response to wavelengths of c. 535 nm), and
4) Short cone cells, most sensitive to blue-violet light (peak response to wavelengths of c. 445 nm).[10]

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[8] Basic color terms tend to be monolexemic (i.e. "red" vs. "bur-gun-dy"), not contained in a more basic category (burgundy is a kind of red), not generally restricted to a single object (burgundy to wine), and generally known, i.e. operative in most people's working vocabularies. Their definition of "basic colors" are found in Brent Berlin and Paul Kay, *Basic Color Terms: Their Universality and Evolution*, (Berkeley: University of California Press, 1969), cited by Kövecses, *Language, Mind, and Culture,* 31.

[9] Ibid., 32.

[10] Martha J. Farah, *The Cognitive Neuroscience of Vision*, (Malden, Mass.: Blackwell, 2000), 4–8.

Perception of all light is therefore received as a combination of these "primary" colors, which produces the "secondary" colors when cells fire in combination. Because of this structure, the human eye cannot distinguish between a single-wavelength light source that produces a reaction in both medium and short cone cells, and two dimmer, proximate light sources activating those same cones. This is why an LCD screen is capable of relating very convincing simulacra of the world; it is also the basis for the iconic sandwich bag commercials.[11] Third, sight is processed by the human brain; its structures and processes also contribute to what we see. Optical illusions take advantage of these structures and processes to produce surprising effects. Finally, how a culture groups these stimuli affects how people describe them, relate them, and engage with them. Kövecses summarizes the interrelated color system in this way:

> [C]olor categories are determined by four distinct factors. First, they are determined by the external physical world. This is how wavelength plays a role in color perception. Second, human biology (the structure of the nervous system) is crucially involved in how we see basic primary colors, such as black, red, and blue. Third, the human mind has the capability to combine primary basic colors into nonprimary basic colors, such as purple and pink. Fourth, culture is again a crucial factor in that it determines which color categories there are in a particular language and it also determines the boundaries of the use of color terms.[12]

It is clear why the color example is so wide-spread in texts engaging the findings of cognitive linguistics. It is quickly graspable. It usefully holds together several important factors, making clear the interrelationship between culture, ocular and neural biology, and exterior stimulus. It does this in a way that can attend to a real engagement with the

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[11] That is, "yellow and blue make green."

[12] Ibid., 33.

exterior world, name its limitations, and describe the role culture plays in structuring a reality that comes to us in a fundamentally unstructured way.[13]

If experience comes in mediated ways to human beings, the next question must be: "how can we talk about the forms of this mediation, specifically relating to the human production of meaning?" In contradistinction to the conventional view, one cannot conceive of literality as the "base-position of language" which is occasionally violated for the sake of poetic or transcendental speech. Instead, even language that we would usually describe as expressing basic meaning makes use of various kinds of "mappings"[14] that cross categories of language and meaning and are therefore metaphorical. Even literal understandings are linguistically and culturally constructed, and in turn shape the ways in which we receive and understand the world.

One can consider the two statements, "the temperature is rising" and "the mercury is rising." The first is the more basic of the two statements in our habitual use, but only the second could be called "literal" because the first relies on a metaphor (that is, a cross-domain mapping), MORE IS UP.[15] To highlight the extent to which such metaphoric understandings permeate our consideration of the world, we could consider how

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[13] The fact that the spectrum of visible light is a true spectrum, (i.e. a continuous and dense range), and that human engagement with the spectrum is always based in categories, lends further support to the explanation.

[14] A mapping is a match created between two spaces or frames, that allows a blend to arise. Mappings can be dynamic and short-lived, or stable and persistent. The latter are more important to this chapter, and are also called "cross-domain mappings." They can be visualized in visual networks, which will be described below. Mappings can take different forms, depending on how many inputs there are, and what relationship those inputs have to each other. See Fauconnier and Turner, *The Way We Think*, 47. Evans, *Glossary*, 130.

[15] Masson, *Without Metaphor*, 52. Small caps are conventionally used to designate a schema, a frame, or a metaphor. Strictly speaking, "metaphor" is reserved to describe the concept which makes the cross-domain mapping sensible (i.e. MORE IS UP), while a metaphoric expression is an instance of its employment, in this case, "the temperature is rising." The expression also assumes HEAT IS A QUANTITY, which further points to the complexity of this seemingly "literal" metaphoric expression, although the authors do not generally point out this further complexity.

foundational the metaphor CATEGORIES ARE CONTAINERS is for our understanding of the world as Masson, Kövecses, and Fauconnier and Turner do. This metaphor is ubiquitous throughout the speech and thought of many if not most cultures. Attending to it allows us to see how the metaphor encourages us to think of categories as having hard edges and sharply-defined feature lists.

Objective and Subjective Aspects

One of the real advantages of this account, which should become clear in light of the disagreements about the nature of theological language narrated in the second chapter, is that it is capable of giving a nuanced and investigable answer to the question of objectivity and subjectivity. If the world is mediated to us not only through the particular biological realities of the human body, but through the culturally constructed metaphors through which we receive sense data about the outside world, then attention to the forms these metaphors take and the ways in which they structure our experience and our commitments is helpful, especially in situations where differing schemata of cultural-linguistic metaphor might be at work. I will return momentarily to investigating how the insights of cognitive linguistic specialists can be helpful in the larger project at stake. First, I will provide the reader with a very basic introduction to the basic types of cognitive network by which cross-domain mappings (metaphors) produce meaning.

Some Basic Vocabulary: Mental Spaces, Networks, and Blends

While frames are fairly basic units of meaning, we habitually combine them into more useful groupings, called "mental spaces." These are produced "dynamically in

working memory, but they can also become entrenched in long-term memory."[16] As an

example of the latter, Fauconnier and Turner point to "Jesus on the Cross," which brings

to mind (or activates) a variety of other mental spaces, including those of "Roman

crucifixion, of Jesus the baby, of Jesus the son of God, of Mary and the Holy women at

the foot of the cross, of styles of painting the crucifixion, of moments of the liturgy that

refer to it, and to many more," all of which influence the meaning that the network

produces. [17] This means that many of our habitual understandings are built up out of

meanings from a variety of such mental spaces, related in different ways, but all of which

are engaged when the network is evoked.[18] Explaining this more clearly requires some

technical vocabulary.

Mental spaces are habitual mental simulations that characterize an understanding

in the human mind. These can be real or purely imaginative, but are formed by the

activation of a variety of elements, and the simultaneous engagement of these elements

builds connections that are mutually reinforcing. These spaces can be described by a

"gestalt node" that "activates all of the elements of the mental space" or by providing

sufficient numbers of common elements to engage the network.[19] We often hold several

of these mental spaces in mind at once in a process that is referred to as "blending" or

"conceptual integration." There are various types of blends which will be described

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[16] Fauconnier and Turner, *The Way We Think*, 103.

[17] Ibid.

[18] The language of engagement is intended to operate also on the level of brain function, as repeating patterns of brain engagement reinforces those patterns and makes them more likely in the future. The habits of thought by which such connections are made become, in a sense, hardwired, producing patterns of thought in which one by necessity evokes the other. See Masson, *Without Metaphor*, 80.

[19] George Lakoff, "The Neural Theory of Metaphor, 17–38 in *The Cambridge Handbook of Metaphor and Thought*, 30. As an example, the mental space "restaurant" can be activated by a gestalt node "restaurant" or "menu," or it can be activated by a sufficient number of simpler elements in proximity, as in the example "the ham sandwich is asking for his check."

below. A blend does not necessarily imply a metaphor, although metaphors are types of blend.

To illustrate the concept of blending, Lakoff uses a riddle. Imagine a monk who ascends a mountain one morning to pray. He arrives at the top and spends the night. The next morning, he descends the mountain. Is there a point on his path that he inhabited at the same time on each day? To solve the riddle, one pictures two monks walking the same path, one ascending, the other descending. Their paths will cross and so there must be such a point. Each instance of the monk walking forms a mental space. They are blended into one space (in a non-metaphoric manner) to solve the riddle. Referring to the "riddle of the monk" activates both spaces, and is therefore a gestalt node.[20] This example is a blend because it is a neural binding (between mental spaces). It is not a metaphor, which he defines as "a cross-domain mapping." To describe the distinction, he reminds us of the sentence, *the temperature went up*. In this sentence, the active metaphor is MORE IS UP. But there is no blending. In seeing a vertically-mounted mercury thermometer, both the metaphor (MORE IS UP) and the blending are present. The blending is the neural binding between the source and the target elements of the metaphor that makes the thermometer a useful tool.[21]

In discussing blends, one can construct a network in which the input spaces are depicted along with blended and general spaces in such a way as to make various types of blend explicit. Examples of these are below. Some authors also make use of the terminology "network" to describe mental blends; this emphasizes the neurological basis

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[20] Ibid.

[21] Ibid., 31.

of cognitive blending.[22] Thus, a network can also be described as an intra-cognitive relation held between primitive domains.[23]

While a much more extensive description of the concepts of frames and mental spaces would be helpful, this has been done well and repeatedly by others.[24] The usefulness of cognitive linguistics to theology is the ability to engage and dissect more complex engagements with meaning. I will, therefore, press on to describe the various descriptions of more complex blends that are built with the basic concept, trusting that any remaining difficulties will become understandable via demonstration.

Frames and Domain Mappings – Metonyms

Language that maps meaning within a single frame, but which uses one item to stand for another can be called metonymy. In a sense, these are the simplest of cognitive processes to describe. Kövecses proposes several examples of metonymy, all of which presuppose an (implied) frame to be sensible. We habitually supply the frame, even when it is not supplied for us. Consider the following sentence: *the ham sandwich is asking for his tab.* A reader can quickly supply a frame in which it becomes a sensible metonymy, i.e. RESTAURANT. The sentence within this frame, "provides mental access to the conceptual element "person eating the ham sandwich" (target) through the use of another

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[22] In describing thought processes in terms of underlying brain structures, one names "nodes" of neuronal activation which interrelate in a variety of means, including mutual activation or inhibition, or binding, in which we simultaneously activate several nodes but hold them together as a single object. One of the most important insights of this neurological investigation is the importance of habituation. This is usually expressed in terms of the motto, "neurons that fire together wire together. (Lakoff, "Neural Theory," 19), meaning that "[d]uring learning, spreading activation strengthens synapses along the way. When the activation spreading from A meets the activation spreading from B, a link is formed, and the link gets stronger the more A and B fire together." (Ibid., 19–20).

[23] Kövecses, 277–287.

[24] See Masson, *Without Metaphor*, 27–55; Kövecses, 39–95, Fauconnier and Turner, *The Way We Think,* 75–170.

conceptual element "ham sandwich" (vehicle) that belongs to the same frame."[25] Other examples of such intra-domain intelligibility would include sentences like *The Vatican issued an encyclical*, or *the Department moved the professor and his family from Boston.* Metonymy can be divided into a variety of configurations, each of which presupposes a frame for sensibility.[26] These expressions use language from within a frame to provide access to other aspects of that frame. It extends beyond language to behavior, including for example, the painting of portraits or the production of ID photos (the THING-AND-PART ICM or "Idealized Cognitive Model"). It also is inherent in ritual behavior, such as reverencing icons, or of the cross on Good Friday.

Cross-Domain Mappings – Metaphors

Describing more complex mappings require understanding how the mind relates items to each other across frames, often "on the basis of some kind of perceived similarity."[27] As Fauconnier and Turner go to great lengths to make clear, such "blending" of input spaces does significant work in human cognition, often by means of what they call "compression" and "decompression." A successful cross-domain mapping does not call to mind every aspect of both domains, but compresses insignificant aspects

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[25] Kövecses, 99.

[26] A list of several kinds of examples will make the point. All of these are drawn from Kövecses, 100–106. The Vatican example is a case of "Whole and its Parts" Configuration, which can be further divided into THING-AND-PART ICM (idealized cognitive model), the SCALE ICM, (*How old are you?*) in which an end of a scale stands in for the whole scale; the CONSTITUTION ICM (*there was* cat *all over the road*) where object stands in for material; the COMPLEX EVENT ICM (*she's in the hospital*), in which a location stands in for a whole complex event; the CATEGORY-AND-PROPERTY ICM (*boys will be boys*); and the category-and-member ICM (*Do you have an aspirin?*) in which a member of a category can invoke the entire category. A second category, the "Part and Part" Configuration, would include the ACTION ICM (*shampoo one's hair*) relating action to element within a frame; the CAUSATION ICM (*She's my joy/pride*); and the CONTROL ICM (*Nixon bombed Hanoi*). Finally, a category of indeterminate relationships serves to hold other examples, including the one with which we started, *The Ham Sandwich….*

[27] Kövecses, 115.

so as to hold the significant aspects in focus.[28] They divide cross-domain mappings into four different types of blend of varying complexity, and chart the salient features of particular blends (or conceptual integration networks), by means of diagrams that have four "spaces." Generally, two input spaces are located on a horizontal axis. *Input Spaces* contribute images, concepts, and understandings from other more basic blends and data from particular frames. Important aspects of these are listed in the input spaces. A *Generic Space* is located above them. If the inputs share a frame, this may be listed here. Cross-frame mappings will call forth an abstract "generic space" in which aspects of the two inputs are understood as having common traits. These traits can be listed in the upper space. The lower space is the *Blend* itself. Here, the particular aspects of the blend are noted. In particular, aspects of the blend that are particular or unique are highlighted. Lines may be used to map particular connections between aspects of the inputs and the generic and blended spaces. Each type of network uses the same type of figure, but relates the inputs in different ways (Fig. III-1):
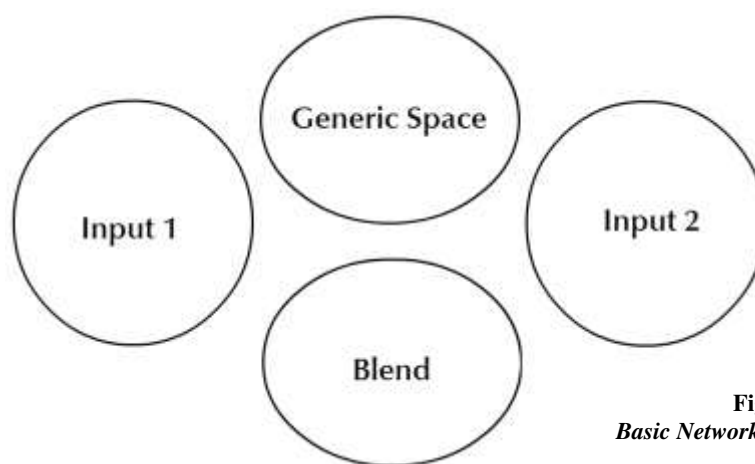
Figure III-1
Basic Network Diagram

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[28] They provide a number of examples, including the process of imagining a rug in a showroom in your living room, which compresses unimportant aspects of both spaces and the distance between them. In the "riddle of the monk," we are compressing time within one frame, and the unimportant differences in age between the monk travelling up and the monk travelling down. See Fauconnier and Turner, *The Way we Think*, 113–35 and 312–28.

Simplex Network

A simplex network is usually an application of a particular frame to a particular set of points, so as to relate them within the extant frame. Fauconnier and Turner suggest the sentence, *Paul is the Father of Sally*, which applies terms (father, daughter) within the frame, HUMAN FAMILY, to specify the relation of two persons. They draw the simplex network in the following manner (Fig. III-2):[29]
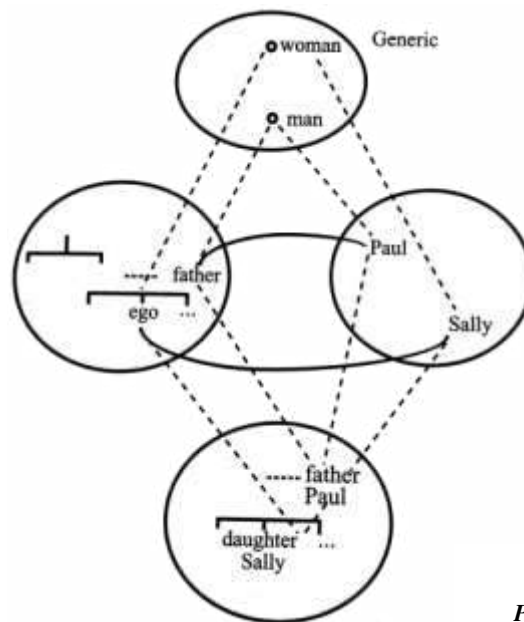
Figure III-2
Simplex Network:
Paul is the father of Sally

Simplex networks contain no clashes between the inputs because the input with values (in this case, Paul and Sally), has no organizing frame of its own. The organizing frame is provided by the second input (Father-ego), which is provided a particular data set by the first. In this, it can be imagined as being like a mail-merge in computer software, whereby the structure (a letter with addresses, greetings, etc.) is provided by one program in a suite and the data to be structured (names, street addresses, states, ZIP

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[29] Fauconnier and Turner, *The Way We Think*, 121.

codes) by another. Running the merge (or "running the blend") produces a useful set of documents that are structured in a particular way using the data from the second program.

Mirror Networks

Mirror networks are slightly more complex, in that all the spaces (i.e. inputs, generic space, and blended space) have an organizing frame. They are still relatively simple, because all inputs share a common frame that can be differentiated in some way (such as time). As an example, consider the following infographic (Fig. III-3).[30]
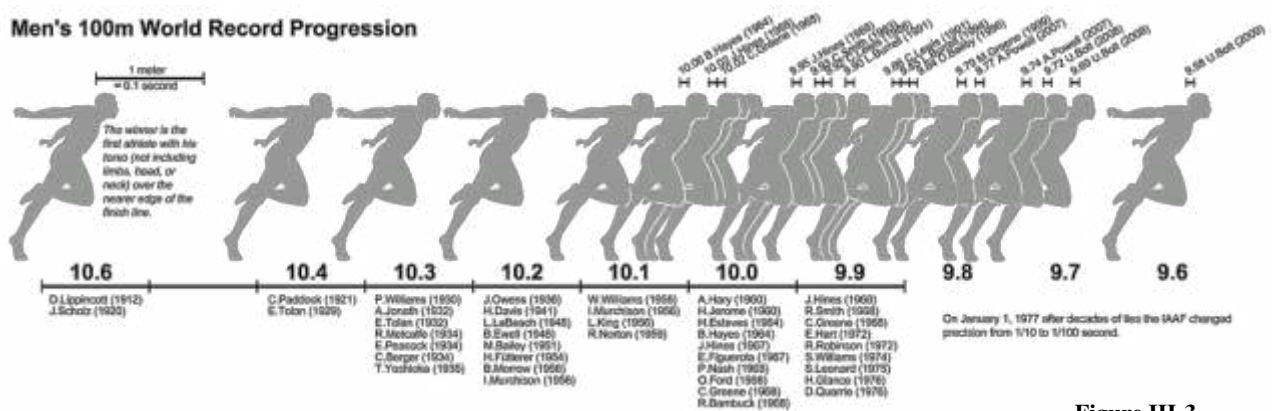
Figure III-3
Men's 100m Dash World Records

The image asks the reader to imagine the world-record holders in the Men's 100m dash of the last century as if they were running the same race in order to compare their finishing times. All of the input spaces are the same (MEN'S 100M DASH), but there are differences at sub-frame levels (1912, 1920 … 2009). This is a complex blend, insofar as it asks the viewer to deal with 58 inputs, but because they all share the same organizing frame, the viewer is easily able to compare the various inputs, compressing the less

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[30] Infographic by Ryan Flynn, 2012. Data source, IAAF. Used under Creative Commons License. Available at http://www.parseerror.com/i/mg/100m/100m-1600.png , April 8, 2014.

important data to take in the infographic's intended point regarding the ever-shifting

horizon of this particular sports event. Because all of the inputs map the same, we can

simplify it to two inputs as a representative way of describing the blend. It can be drawn

as follows (Fig. III-4):
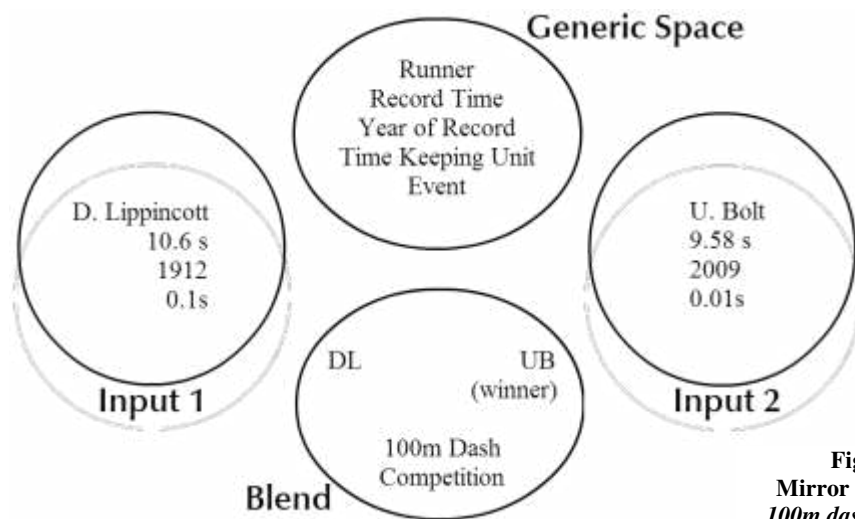
Figure III-4
Mirror Network:
100m dash records

Here we see the blend of the records held by D. Lippencott (1912), and that of U. Bolt

(2009). In the blend, we imagine them running the same race, with U. Bolt winning by

1.02 seconds, despite nearly a century having elapsed between their world-record

attempts. The races constitute a single organizing frame, in which the two records are

mutually intelligible.

Single-Scope Networks

Single-scope networks differ from mirror networks in that one of the inputs

provides the organizing frame, and is therefore the source of inferences relating to the

other. Single-scope networks thus describe what theologians routinely describe as

metaphor, following Thomas Aquinas,[31] but are called "analogical thinking" in Gerhart and Russell's work.[32] A classic example would be *Achilles is a lion*. That proposed by Fauconnier and Turner is *Murdoch knocks Iacocca out*. In both of these cases, the relations in one input (lions/boxing) determine what can be inferred about the inputs from the other input space (Achilles/Murdoch & Iacocca). We cannot make inferences in the other direction, such as *Boxers run companies*, or *Lions descend from the Gods* (Fig. III-5):[33]
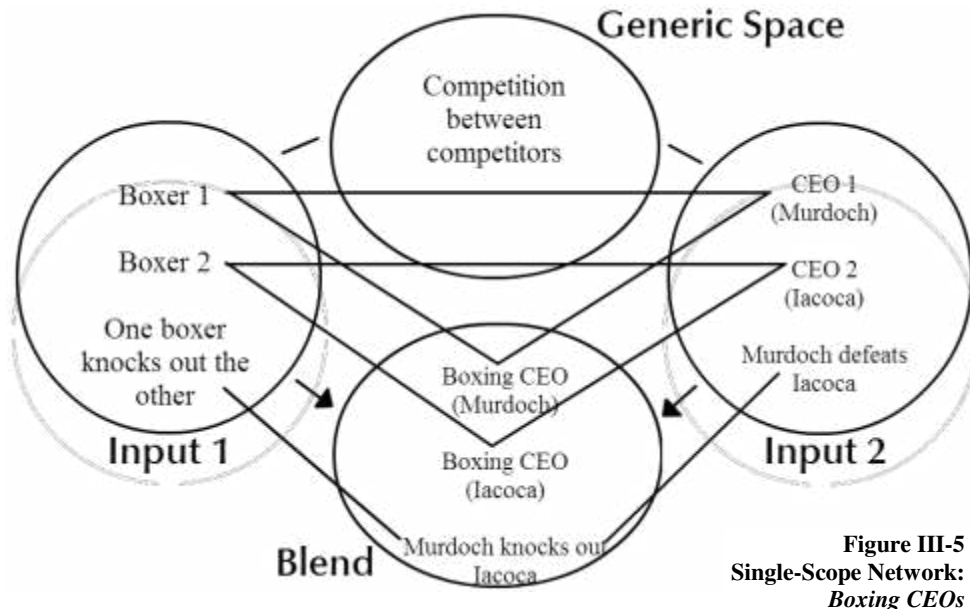
Figure III-5
Single-Scope Network:
Boxing CEOs

Double-Scope Networks

Finally, and most importantly for the present project, we can describe double-scope networks, in which the two inputs each bring their own organizing frames, and

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[31] *Metaphorice*, see ST I.Q13.A3.

[32] Gerhart and Russell, *Metaphoric Process*, 109–119. For these authors, analogy is the broader category, which properly describes what we are describing as single-scope blends. When the "field of meanings" requires distortion, what is produced is a metaphor. This will usually be something more like what we will describe below as a double-scope blend.

[33] Figure from Fauconnier and Turner, *The Way We Think*, 128.

these do not obviously mesh. Holding them in tension allows the possibility of what Fauconnier and Turner call, "rich clashes," that is, a productive tension out of which new imaginative possibilities arise.[34] In such a blend, neither input can properly be termed "source" or "target" because they are mutually re-defining. This means that the differences between the organizing frames allow for implications that cannot be drawn in a single-scope blend. Kövecses uses the phrase *God, was he ever mad. I could see smoke coming out of his ears—I thought his hat would catch fire!* as an example of a double-scope blend. In this case, the inputs are the metaphor ANGER IS HOT FLUID IN A CONTAINER, and the angry person. In the blended space, we imagine the person with steam escaping his ears. We can draw an implication from the first input and it's submapping ANGER IS HEAT, to imagine the man's hat (which usually sits on a head, above the ears), catching fire. Kövecses depicts the blend in this manner (Fig. III-6):[35]
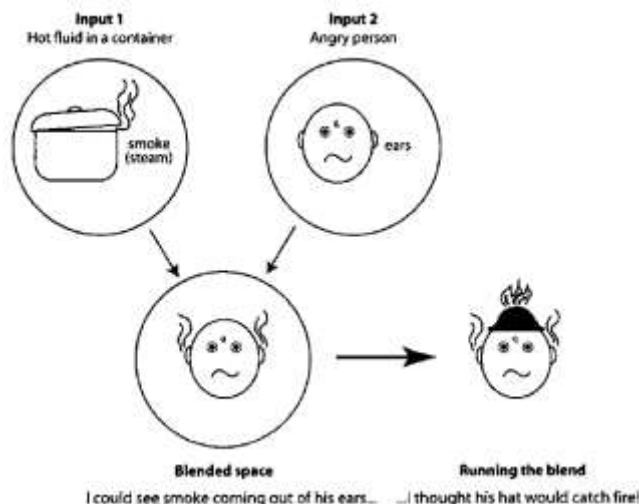
Figure III-6:
Double-Scope Blend
Anger leading to a fiery hat

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[34] Ibid., 131. There is a parallel which can be drawn to the metaphoric theory of Gerhart and Russell. See n. 1 above. Masson argues convincingly that they are describing the same cognitive action. See Masson, *Without Metaphor*, 77–94. As Fauconnier and Turner point out, double scope networks can be non-clashing, if the two inputs are mutually interpretive, but do not contain contradictory aspects. In this case, they would "both contribute to a blend that incorporates both of them. For example, if in a particular corporate community traveling business partners are typically lovers, we can develop the traveling business partners/lovers frame, with emergent structure, which can become familiar and used routinely in the culture." Idem., *The Way We Think*, 135.

[35] Kövecses, 284.

Here we see several things. First, Kövecses has chosen to demonstrate the blend graphically. Images are indeed closer to the basic form of this blend, which is visual in its structure.[36] As can be seen from the example, both inputs contribute to the blend, such that the outcome ("running the blend") produces a memorable re-imagination of the situation and the basic metaphor that contributed to it. A flaming hat has little to do with ANGER IS HOT FLUID IN A CONTAINER, but is an immediately understandable implication of the blend as it is presented.

Masson's Application to Theological Language

Theology is human, embodied, and rooted in language, although it describes what is divine, transcendent, and ineffable. This is not a new insight of the contemporary era. The Thomistic adage, "that which is received is received according to the mode of the receiver" (*quidquid recipitur ad modum recipientis recipitur),* implies it.[37] However, one might initially be put off from applying the insights of cognitive linguists within theology because it is clear that for many cognitive linguists, the embodied character of human knowing is understood reductively. If language is a human phenomenon, it is difficult to understand how it could describe what is traditionally called God.[38] This reduction is not,

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[36] For an engagement with the relationship of visual and conceptual metaphors, see Elena Semino and Gerard Steen, "Metaphor in Literature," 323–46 in *The Cambridge Handbook of Metaphor and Thought*, 238–39.

[37] A form of the adage is found at ST 1a, q. 75, a. 5, resp. There it is phrased in this way: "For it is clear that everything received into something is received in it according to the mode of the recipient." *Manifestum est enim quod omne quod recipitur in aliquo, recipitur in eo per modum recipientis.*

[38] As an example, see George Lakoff's 2001 Gifford Lectures, "The Embodied Mind and How to Live with One," 49–108 in Anthony Sanford, ed. *The Nature and Limits of Human Understanding: the 2001 Gifford Lectures at the University of Glasgow*, (New York: T&T Clark, 2003), especially 102–105. He suggests that there are three possible metaphoric understandings of God: GOD AS PARENT; GOD AS THE INFINITE; and GOD AS IMMANENT/GOD AS WHAT EXISTS. His reasons for rejecting both the first and the second seem to assume that people who believe such things accept all the implications of the blend, as if it

however, a necessary implication of their work, a point that Masson is at pains to argue

clearly, and a task at which he succeeds. When the cognitive linguists discussed so far,

and in particular George Lakoff, engage theological topics, they often do so in

insufficient manners, perhaps because of their use of "folk understandings" of terms such

as religion, faith, soul, and God.[39] The analysis of human knowing can be used to

describe the quite complex language by which Christians seek to express insights

garnered about that which is beyond direct human knowing. Again, this is not a new

problem. Understanding God to be transcendent requires some explanation of how

limited human speech and reason can properly know God.

Double-scope blends in particular have been important in the history of

theological consideration, partly because of the need to speak about that which is

transcendent, but also because humans are embodied creatures. Our language, our very

thought, is constructed of metaphoric blends that rest at their deepest levels on the mental

structures governing bodily motion.[40] Children begin to develop metaphoric thought

early, before the age of three. To describe the process of development, we can consider

the metaphor SEEING IS KNOWING. First the basic embodied action is mastered and

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were a simplex network. He is able to possibly accept the third, because "what exists exists," in other words, because it is not logically problematic and he wants to hold the world as sacred. The theological understanding of a God that is neither a thing in the world, nor the collection of all things in the world, nor nothing is not available to him, and this lack causes him to judge the suitability of the available metaphors poorly.

[39] That is, an understanding which, while common, is not that of experts in the field. Cognitive linguists often describe how folk understandings of concepts such as categories cause people to understand what they are doing when they categorize as different from what they are actually doing. A similar thing may very well be happening because Lakoff, for example, is considering God as either the largest of all possible beings or as something outside of human knowing. See previous note. Masson makes exactly this point, see *Without Metaphor*, 19–22.

[40] George Lakoff, "How the Body Shapes Thought: Thinking with an All-Too-Human Brain," 50–74 in *The Nature and Limits of Human Understanding: The 2001 Gifford Lectures at the University of Glasgow,* Anthony Sanford, ed., (New York: T&T Clark), 2003), 71–73.

described ("see daddy"). Then what are called conflations occur in which "the domains of seeing and knowing are co-active." ("see Daddy come in. See what I spilled."). Finally, metaphorical cases are added, as in "see what I mean." These patterns of thought are almost always grounded in neural patterns for body motion or sense data, a complexity made possible because the brain is capable of engaging the mapping for body movement without engaging the motor neurons or the visual neurons. This is why seeing someone perform an action uses the same neural clusters as performing the action oneself. This is referred to as "mirroring."

A classical theological example of a double-scope blend, that is, a blend in which neither input is entirely determinative of the outcome, would be the definition of the Council of Chalcedon. Jesus is fully human and fully divine and this must be understood in such as a way that the divine and human natures are not changed, confused, divided, or separated.[41] In Jesus, implications are drawn that are proper only within the blend (the concept of the *communicatio idiomatum*), such that we predicate of Jesus descriptions proper to God but not to humanity and vice versa. Masson would say that this definition prompts for a "tectonic shift," that is, a new organization of the data that is not possible without the double-scope blend, but in light of which we are able to make sense of the data of experience and revelation regarding Jesus.[42]

Masson's preferred example of a double-scope blend is "Jesus is the Messiah." This has inputs consisting of the historical life of Jesus mediated by scripture, and the expectations of the messiah; these must be held together despite the clear tension between

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[41] See Council of Chalcedon. Tanner, I:86, ll.16–45.

[42] This is a direct parallel to Gerhart and Russell's concept of how particular metaphorical language "warps the world" of meaning, allowing new things to be said. See *New Maps for Old: Explorations in Science and Religion*, (New York: Continuum, 2001), 32–37.

them. Doing so produces a very fecund blend that leads to Christian thought in general.

Masson begins to draw the network in this way (Fig. III-7):[43]
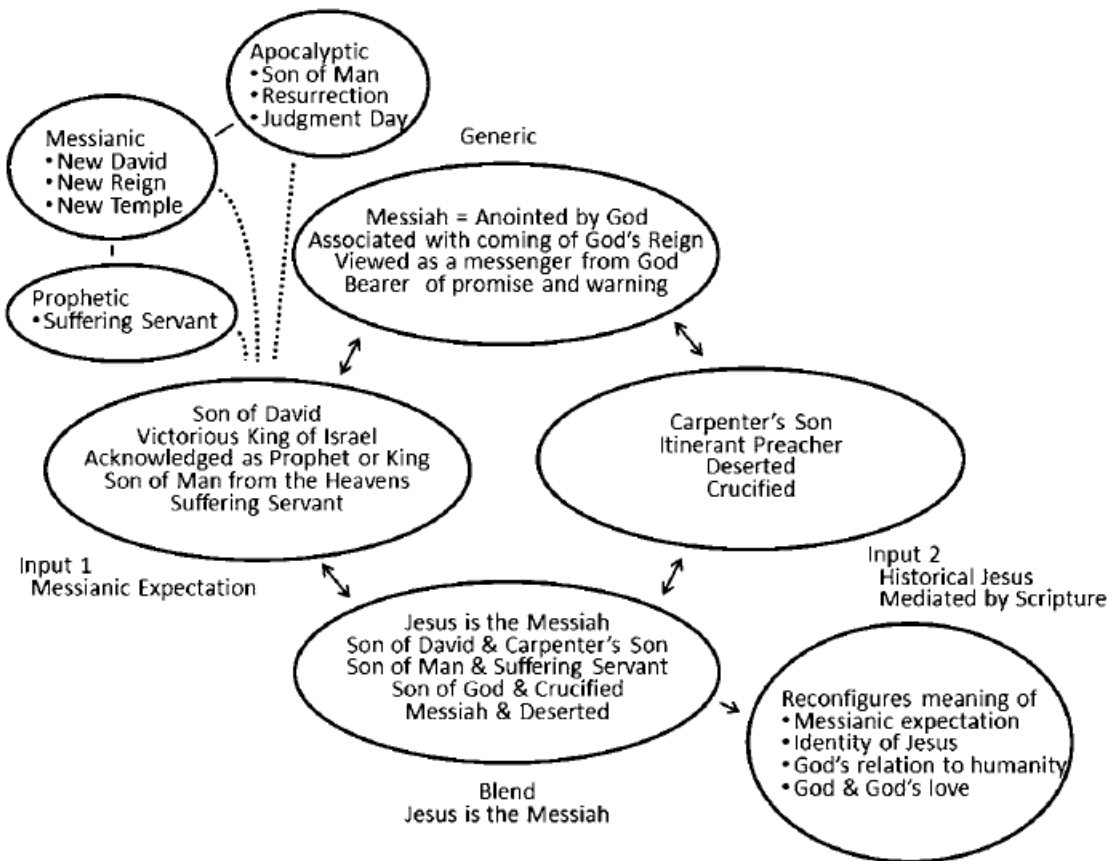
Figure III-7:
Double-Scope Blend
Jesus is the Messiah

Here, the two inputs are held in tension, such that both are reinterpreted. As Masson

notes, the input "'Messianic Expectation,' is itself a complex blend of overlapping and

also conflicting Apocalyptic, Messianic and Prophetic images." Jesus' life, as mediated

through the scriptures, is interpreted in terms of this complex blend, "messianic

expectation," and that blend is also reshaped in terms of the particulars of Jesus' life. In

this way, the Son of Man and the Suffering Servant traditions are selectively re-imagined

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[43] Masson, *Without Metaphor*, 107.

and molded to the church's telling of Jesus' story. They open up new possibilities for narrating that story and its importance for the world.

Of course, religion in general and Christian theology in particular is a rich field of double-scope blends. When forced to choose between seemingly contradictory positions (Jesus is God/Monotheism, or Jesus is divine/Jesus is human), Christian theologians have routinely chosen "both," forcing tectonic shifts in thinking to make sense of seemingly irreconcilable data. In this, they follow Jesus' own example in the Gospels, where he is often presented with a seeming dilemma by his interlocutors and his answer prompts for a tectonic reconfiguration in which new possibilities are available.[44] In the process, the shift prompts Christians to re-imagine how the "data" of scripture and tradition can be re-interpreted to allow for the reconciliation of the seeming dilemma.

It may be that double-scope blends are a fundamental and necessary aspect of not only Christianity, but of monotheistic religion in general. George Lakoff's critique of religion in his Gifford Lectures can help clarify why this might be the case. He (unknowingly?) accepts Feuerbach's premise, that either God is not God (because he is a thing in the world), or God is unknowable to humans. Unlike Feuerbach, Lakoff can imagine a third possibility, a kind of pantheist, "all that is."[45] In part, as mentioned above, this may be due to his employment of a "folk understanding" of what monotheists might

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[44] So, for example, the question regarding taxes (Mk 12:13–17), the story of the woman caught in adultery (Jn 8:1–11), or the parable of the Good Samaritan (Lk 10:25–37).

[45] George Lakoff, "How to Live with an Embodied Mind: When Causation, Mathematics, Morality, the Soul, and God are Essentially Metaphorical Ideas," 75–108 in *The Nature and Limits of Human Understanding: The 2001 Gifford Lectures at the University of Glasgow,* Anthony Sanford, ed., (New York: T&T Clark, 2003), 102–105.

mean when they refer to God.[46] The idea that God might be truly transcendent and

nevertheless have revealed himself to humans is not considered in Lakoff's lectures.

But *how* Christians believe precisely this to be true is important for the present

project. The fundamental problem of describing a transcendent God in a situation of

immanence leads to various metaphorical strategies for saying something useful without

saying either too much or too little. Roman Catholics have a rich tradition of reflection on

and by analogy. Some Protestants seek to solve the problem through a dialectical

theology that holds transcendence and immanence at an unresolved distance.[47] The

mystics have honed the art of saying something important by giving up on trying to say

anything. In each of these cases, God can only be spoken about metaphorically, because

that is how human language is constructed. Attention to how the logic of that language is

used will require being attentive not only to the kinds of speech which are required and

which are forbidden in a particular theological speech, but a kind of openness to the shift

in thinking which the theological metaphors prompt. The monotheistic religions have

consistently insisted not only that God is one, but that God is not a thing in the world.

Metaphorical analysis will have to keep in mind, then, how those metaphors are used.

It is helpful to note that one of the very basic metaphors which Lakoff and others

have described, CATEGORIES ARE CONTAINERS, is exactly at issue in this question.[48] If

God is not a thing in the world, then God cannot be properly "contained" within any

category. But if we can only speak categorically because of how we are in the world, then

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[46] See n. 39 above.

[47] For an engagement with this process and its similarities and differences to analogy in Catholic thought, specifically related to the question of blending, see Robert Masson, *Without Metaphor*, 147–64.

[48] See p. 138, above.

something like analogy, like dialectic, or like the way of unknowing will always be necessary in speaking in categorical terms about the ineffable.

Applying Network Analysis to Ecumenical Consensus

One of the perpetual difficulties of ecumenical dialogue, described at length in chapter two, is the question of how different and divided Christian confessions might come to consensus, and how they would recognize that they had arrived there. As we have seen, one cannot merely picture ecumenical dialogue as a simple exercise in which one party proposes a truth statement to which the other either assents or asks for further clarification.[49] The usual metaphoric frames are CONSENSUS IS QUANTITY, ("more consensus has been reached") CONSENSUS IS PHYSICAL PROXIMITY, ("the churches are coming closer together") or CONSENSUS IS A BUILDING ("we are slowly building mutual understanding"). These form our imagination of the dialogue results; none is entirely adequate to expressing the *differentiated* consensuses that have arisen over time in bilateral dialogue between separated churches.[50] In these models, consensus (in the specific terminology of the previous chapter, *Übereinkunft*) is something that is approached, or that grows (the frames referenced above). In both cases, unlike a

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[49] This model is presupposed by Beinert in his description of *Übereinkunft*. See the discussion above at page 84.

[50] The shift noted in chapter two (see p. 103) from speaking of a "consensus in the basics" (amount) to a "basic consensus" (building) is a very important shift in the dialogues' self-description. It attempts to clarify how agreement relates to consensus and to church union. The first points to a limited consensus about small things and envisions a future union requiring complete *Übereinkunft*. The second instead might have more in common with St. Paul's image of the one foundation which cannot be supplanted and on which each must build (1 Cor 3:10–15). In this model, the consensus in the basics already provides a kind of unity, and one can discuss which of the remaining differences are barriers to full, visible unity.

differentiated consensus, the end point is uniformity, either understood in terms of "inhabiting the same space" or "being 100% in agreement."

Differentiated consensus arises from the encounter between representatives of two confessional traditions, each of which makes use of a habitual logic, terminology, and discourse, forming an assumedly coherent system. Consensus need not require actual theological change on either side of the discussion. What is necessary is a change of interpretation regarding the other's native logic and a willingness to see the potential consensus in its own terms. Describing the consensus that has crystallized in a dialogue to those who have not been trained to see the inner logic of the other theology is a difficult task.

At this point, it is important to repeat something from the introduction of this chapter regarding the goal of the present project. It is not intended to propose a new method for conducting dialogue, nor a method to synthesize Lutheran and Catholic theologies into something greater (what we have called the transconfessional project). I am arguing that an understanding of metaphor and the associated forms of network analysis proposed by cognitive linguists are capable of making the real achievements of the bilateral dialogues more available to those who have not spent decades developing the ability to speak the language and inhabit the world of the ecumenical other.

In other words, the complex relationship between Lutherans and Catholics contains common elements and areas of divergence. Some of the latter are mutually contradictory, while others are not. In the decades-long process of ecumenical dialogue, representatives of both churches have recognized the other's position on justification to be divergent from, but *not* mutually-contradictory to their own position, despite the

inherited wisdom to the contrary. The JDDJ represents the public acceptance of this insight on the authority of the churches themselves. In the next two chapters, I will be applying the insights described above regarding the construction of human thought to make clearer *why* the differentiated consensus described in the JDDJ represents a real consensus despite what seems to be contradiction. Doing so does not develop the consensus that the JDDJ reaches, but it may make that consensus more broadly receivable in the churches, a need that chapter one demonstrates. In order to do this, I will first connect what has been said here about the metaphoric nature of human thought to Lindbeck's proposal for explaining ecumenical "reconciliation without capitulation." I will then proceed to the question of whether a "differentiated consensus" is merely a willful equivocation, or whether it can demonstrate a real agreement between different systems of thought.

Cognitive Linguistics and the Cultural-Linguistic Proposal

Of course, one is immediately struck by the linguistic commonality between these two descriptions of human meaning. This is not surprising. As noted above, the twentieth century has witnessed increased attention to the role of culture and language in determining meaning, leading to critiques of totalizing narratives and to accounts of truth that presume a simple connection between the world-as-it-is and our knowledge. Language and the culture that it represents are an important aspect of the mediation of the world, leading to Lindbeck's cultural-linguistic terminology. The structure of our bodies, particularly our neurological systems, adds another layer of mediation. Its description leads to the insights and terminology of the field of cognitive linguistics.

Of course, just because these two inquiries share a common name, one should not presume that they are dealing with the same aspect of the same thing. However, one of the characteristics of Lindbeck's proposal that made it unconvincing to some was its inability to provide a reason beyond Lindbeck's own ecumenical experience for why it might be true. In this section, I will briefly argue that the insights of cognitive linguistics provides precisely such an explanatory model, supporting the assertion that in some matters of ecumenical disagreement, reconciliation without capitulation —or even compromise— might be possible, and that doctrines can be understood to function as rules for speaking the truth within a particular tradition.

Why would such a thing be possible? Because the parties involved are reasoning about the same question by means of different metaphors producing different blends. As such, they are coming to conclusions that seem to be contradictory but are, in fact, merely different. Masson makes a similar claim, arguing that the analysis of conceptual integration networks provides a possibility for providing

> a more generalized (non-Thomist) account of such conceptual moves, of their logic, and of their propriety … This is particularly important for progress in ecumenical conversations, and in today's pluralistic theological and philosophical contexts, where different metaphoric mappings and conceptual blends are always operative but usually in very subtle and unconscious ways.[51]

He brings this insight to bear in engaging Eberhard Jüngel's claim that Catholic analogy claims to know not too much about God, but too little. Importantly, he finds in (Roman Catholic) analogy and (Jüngel's Protestant) dialectic not differing accounts of the same thing. They may share structures of thought that are inherited from underlying human commonality; "both Catholic analogical thinking and Protestant dialectical thinking entail

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[51] Masson, *Without Metaphor*, 146.

complex integrations and tectonic equivalences."[52] Nevertheless, Masson recognizes that

Jüngel "understands his position to be in opposition to the Catholic position." Masson

himself has similar reservations about Jüngel's theology.[53] They are not merely different

names for the same thing.

Both forms of thinking *are* making use of the same basic human cognitive

process, and neither can be understood apart from that process. Because it entails certain

"prompts" for tectonic logic, by which Masson means an invitation to re-arrange the

available data in a new way, like JESUS IS THE MESSIAH does, it is possible to understand

all the data of a particular position without understanding the position itself. That this is

true is demonstrated by many students in catechism classes or Introduction to Theology

classes who can recite back the Creed or the Definition of Chalcedon without having

made the shifts required to hold the pieces together in an authentically Christian manner.

This is often demonstrated by their failure to properly translate the positions they have

memorized into different frames in discussion or in essays. Mastery is demonstrated by

an ability to use the language properly in a new situation.

It is also a standing problem for ecumenical dialogue, especially in the task of

reception. As Masson concludes, "for a genuine dialogue between Catholics and

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[52] Ibid. In engaging the question of dialectic theology, it is important to note that for all the importance that this has in contemporary Protestant systematics, there is some question about the appropriateness of applying this to Luther's thought, particularly as it relates to the sinful and justified Christian. See Wolf-Dieter Hauschild "Die Formel 'Gerecht und Sünder zugleich' als Element der reformatorischen Rechtfertigungslehre – eine Entdeckung des 20. Jahrhunderts," in *Gerecht und Sünder zugleich? Ökumenische Klärungen,* ed. Theodor Schneider and Gunther Wenz, (Freiburg im Breisgau: Herder, 2001), 303–49. Otto Hermann Pesch agrees, "The focus of his [Luther's] understanding even without the formula is even stronger than the lifelong struggle against sin. This definitively excludes a coequal sinner- and saint-being and also a pure "dialectic." Because the of the lifelong experience of inadequacy of this struggle creates a worry about assurance [Gewissensängste], the problem of assurance is (for the first time!) pressing and solved through the idea of *promise*, such that it is to be kept before the eyes in times of doubt." Idem, "Simul iustus et peccator: Sinn und Stellenwert einer Formel Martin Luthers, Thesen und Kurzkommentare, in Schneider and Wenz, 154. See also chapter five.

[53] Ibid., 159.

Protestants to advance, the logic of the conceptual integrations and tectonic equivalences involved in the respective positions needs to be taken into account."[54] Within the contexts of the dialogues themselves, this happens in a somewhat hidden manner through the long process of learning to articulate the other's position so that they can recognize it as their own. This extended process of developing mutual understanding is not broadly available in the process of reception, however, and so the implicit must be made explicit for the benefit of those in the broader churches.

Engaging Lindbeck's proposal more directly, there is some slippage between the analysis he provides of the metaphor DOCTRINES ARE RULES, and the engagement with difference, objectivity, and culture that the results of the cognitive-linguistic proposal would predict. In part, these can be attributed to an incomplete application of Lindbeck's own insight to his analysis, but there may be real disagreement about how things can be known. The chief difference has to do with the possibility of achieving a more universal viewpoint from which to engage both perspectives. This works itself out in different ways in his three test cases. In the first example, the Nicene Creed, Lindbeck treats the creed as not itself a necessary rule for the Christian faith, but as something from which more basic rules can be derived. This seems to be the result of both an incomplete application of his insight and perhaps a misinterpretation of Lonergan's engagement with the development of the creed.[55] In these examples, Lindbeck —perhaps inadvertently— makes use of an

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[54] Ibid.

[55] There is some question about whether Lindbeck's understanding of the development of the creeds, which states that it relies on Lonergan, is sufficient. This is a much larger topic than can be engaged here. See Jane Barter Moulaison, "Missteps on *The Way to Nicea*: A Critical Reading of Lonergan's theory of the Development of Nicene Doctrine," *Studies in Religion* 38 no. 1 (2009): 51–69; Jeremy D. Wilkins, "(Mis)reading Lonergan's Way to Nicea: A 'More Generous Interpretation,' in Conversation with Jane Barter Moulaison," *Studies in Religion* 42 no.4 (2013): 429–47; Jane Barter Moulaison, "A Response to Jeremy Wilkins," *Studies in Religion* 42 no. 4 (2013):448-51; Jeremy D. Wilkins, "Gratitude and Clarifications: A Note," *Studies in Religion* 42 no.4 (2013):452–53.

understanding of his own rule theory that represents the kind of surpassing of

confessional difference that Harding Meyer associates with multi-lateral dialogues of the

previous era,[56] and not the real reconciliation without capitulation that he describes as his

goal.[57] In his second example, the Marian doctrines, Lindbeck comes closest to achieving

his objective, but is still operating under a transconfessional ecumenical model. In his

third example, papal infallibility, he is aided by the inherently regulatory nature of his

subject matter. Here, his regulative theory is applied in a fairly strong manner that both

takes into account the native blends of each of the traditions he examines, although still

relativizing each in the process. His analysis holds up reasonably well in the divided

situation that the contemporary church inhabits. Lindbeck's image of a reunified church,

however, implicitly assumes a future communion in absolute consensus (i.e.

Übereinkunft) that would have to disallow the kinds of difference that his cognitive-

linguistic model is intended to explain. In this, he never fully reaches his goal of

describing the possibility of reconciliation without capitulation.

Example 1: Nicaea and Chalcedon

Lindbeck's engagement with the Christological doctrines of the councils of 325

and 451 rests on a strong application of a form/content distinction. He argues that such a

distinction "seems to be required in Christianity" in part because of the necessity of

holding together the breadth of the New Testament canon.[58] He argues that only a

propositionalist or a regulative account of truth (the latter is the account he has developed

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[56] See above, p. 99.

[57] See discussion above on page 103. Lindbeck, *Nature of Doctrine,* 16–17.

[58] Lindbeck, *Nature of Doctrine,* 92.

out of the cultural-linguistic proposal) can adequately make this form/content distinction; an experiential-expressivist position must hold that changing a form or context will change the substance of the non-discursive symbol.[59] This is the step at which he seems to inadequately apply his cultural-linguistic insight. Because he makes a sharp distinction between "discursive" and "non-discursive" symbols, he ends up making culturally-embedded, linguistic symbols like the Niceanum into rules that can be replaced by other, more basic expressions of their content.[60] In doing so, he seems to make the form/content distinction in such a way as to provide a kind of extra-cultural access to the content, that is, an access that in some way is not embodied. Therefore, while describing the creed as a rule of faith, he can distill it into three rules behind the rules. These are:

> [f]irst…the monotheistic principle: there is only one God, the God of Abraham, Isaac, Jacob, and Jesus. Second, there is the principle of historical specificity: the stories of Jesus refer to a genuine human being who was born, lived, and died in a particular time and place. Third, there is the principle of what may infelicitously be called Christological maximalism: every possible importance is to be ascribed to Jesus that is not inconsistent with the first rules.[61]

These are not bad Christological rules, but they do not exhaust the intended "content" of the Niceno-Constinopolitan Creed. Specifically, one could point to the regulatory function of excluding an Arian use of the "begotten" passages of scripture, and the resulting creation of a new possibility of thought, "eternal begetting." Furthermore, this way of engaging the creed makes it not the kind of doctrinal rule that Lindbeck has suggested that it could be, but instead merely the bearer of more basic rules that are themselves binding apart from it. He states this most clearly at the end of his engagement,

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[59] Ibid., 93.

[60] Lindbeck's text would lead to an understanding that what they can be replaced by is their content, although at times he does seem to admit that any expression of the their content is precisely that.

[61] Ibid., 94.

though these ancient formulations may have continuing value, they do not on the basis of rule theory have doctrinal authority. That authority belongs rather to the rules they instantiate. If these rules, as was earlier suggested, are such regulative principles as monotheism, historical specificity, and Christological maximalism, it is at least plausible to claim that Nicaea and Chalcedon represent historically conditioned formulations of doctrines that are unconditionally and permanently necessary to mainstream Christian identity. Rule theory, in short, allows (though it does not require) giving these creeds the status that the major Christian traditions have attributed to them, but with the understanding that they are permanently authoritative paradigms, not formulas to be slavishly repeated.[62]

This example makes clear why many of Lindbeck's critics see in his rule theory a retreat from the actual historical doctrines of the church. This parallels the attempts of the early multi-lateral dialogues described by Meyer, to transcend their difference by "leaving behind their historical confessional forms and identities in order to meld into one church with a new identity and a new name."[63] While Lindbeck seems to want to see the union of the church happen in a situation in which its positive differences remains intact, his account of the kind of consensus on which such a union is built would allow for a kind of undifferentiated Christianity built on the ahistorical distillates of the creeds, rather than on the creeds themselves that must be interpreted in light of their situatedness.

Nevertheless, Lindbeck's engagement with creeds as (containers for) rules can usefully be extended via network analysis. As an example, we can consider the creedal response to Arius' contention that the nature of God is to be unbegotten. Because Jesus is called "only-begotten of the Father" in the scriptures, he cannot be properly-speaking divine.[64] In responding, the creed calls Jesus not only consubstantial with the Father, but

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[62] Ibid., 96.

[63] Meyer, "Ökumenischer Konsens als 'differenzierter Konsens,'" 43. "…die sich vereinenden Kirchen liessen ihre bisherige konfessionelle Gestalt und Identität züruck, um zu *einer* Kirche mit *neuer Identität* und *Neuem Namen* zu '*verschmelzen.*'"

[64] I recognize that the theology of Arius is terrain in which the systematic theologian ought to beware. For the sake of the current example, I am attempting to keep the focus tight enough to make the cognitive point understandable. For a more subtle engagement with Arius' thought, particularly on the

begotten "before all the ages" by a begetting which does not imply "being made."[65] In this way, the creed maintains the biblical language, but removes the problem of Jesus' extreme distinction from the Father by describing a new, analogous kind of begetting that is both eternal and not a creation. It provides a new grammatical rule to which Christology must adhere if is to be recognizably Christian.

Example 2: Marian Dogmas

Lindbeck's engagement with the Protestant/Roman Catholic disagreement on the infallible pronouncement of the doctrine of the Immaculate Conception demonstrates a more complete application of the implications of his rule theory.[66] He frames the question as "whether a regulative approach leaves the theological options open and is therefore capable of accommodating irreversibility as well as reversibility (not to mention the usual Protestant view, which the rule theory also allows, that these doctrines are simply illegitimate)."[67] This is a strong description of the difference with which the regulative

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question of *why* he believed that the Word must be differentiated from the Father in the way that he does, see Rowan Williams, *Arius: Heresy & Tradition*, rev. ed. (Grand Rapids: Eerdmans, 2002). Williams argues that each of Arius' rejected conclusions rests on an uncontroversial term problematized by "an implicit critique of conservative 'Platonic consensus' doctrines, and a far stricter differentiation, even opposition between monad and dyad. … [Williams] proposes that he became the center of a controversy because of his fusion of these conservative themes with a very un-conservative ontology, which isolated him not only from Alexander and Athanasius but also from his Lucanist allies and their successors." *Ibid.,* 232.

[65] Niceno-Constantinopolitan Creed, Tanner I:24, ll.5–11. The creed of Nicaea itself includes "consubstantial" and "begotten not made" but has not yet explicitly made this tectonic shift clear by declaring the begetting of Christ to be eternal.

[66] While the section is entitled "Marian dogmas," Lindbeck does not engage the question of the Assumption of the BVM, perhaps because the Immaculate Conception is the more ecumenically fraught question, and yet some of the questions of an irreformable or excluded doctrine are the same.

[67] Lindbeck, *Nature of Doctrine*, 96.

theory must grapple if it is to allow for doctrinal reconciliation that is truly without capitulation.[68]

Lindbeck's engagement with the question is quite brief, showing how the doctrine of the Immaculate Conception is "a valid application in particular circumstances of permanently essential rules."[69] Here we have another example of how, for the sake of unity, Lindbeck moves the rules themselves behind the doctrines. He does acknowledge that here expressing these rules outside of the doctrine itself is difficult.[70]

His analysis would be strengthened if it attended particularly to the cultural-linguistic structures in which Protestants and Catholics have reached their seemingly contradictory doctrines, and especially to the role that difference and broken *koinonia* played in this development. A study of the blends in which the Immaculate Conception of Mary is (non-)sensible would have to, on the Catholic side, attend to the blend by which Original Sin is understood, along with the implied blend for human freedom and its dependence on divine grace.[71] On the Protestant side, a differing understanding of human

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[68] One can rightly ask what is meant by "irreversible" and "illegitimate" in this charge – clearly Protestants cannot mean "illegitimate for Catholics" and Catholics cannot mean that the irreversible papal declaration must apply in the same way for Protestant theologies of Mary. In this, it would be much like Avery Cardinal Dulles' caveat regarding the JDDJ's use of "acceptable differences," stipulating that this cannot mean that Lutheran theologies can be preached from Catholic pulpits and vice versa. See Idem., "Justification and the Unity of the Church," in *Gospel and Justification in Christ*, ed. Wayne C. Stumme (Grand Rapids: Eerdmans, 2006), 127.

[69] Lindbeck, *Nature of Doctrine*, 97.

[70] Ibid., "One can say, for example, that it is only in the context of a questionable Western theology and sense of sin that it is necessary to exempt the Mother of our Lord from all natal stain in order to maintain her God-given and God-dependent freedom in saying 'yes' to the angel's terrifying announcement. This is not a denial of the doctrine. As in the case of our earlier and simpler example of the immortality of the soul, one could view the Immaculate Conception as a valid application in particular circumstances of permanently essential rules. The difference is here, as we have noted, it is much more difficult to specify what the underlying rules might be. One might have to content oneself with saying that they have to do with the uncodifiable aspects of the interaction of divine and human freedom."

[71] Lindbeck briefly makes this case, "it is incompatible with Mary's freedom in becoming *Theotokos*, and, more crucially, with God's humility and condescension in waiting on a creaturely 'yes' (which, to be sure, he himself graciously provided). Thus Christians discovered that the grammar of their

sin would have to be articulated, to explain why no human —save Jesus— can be excluded from having participated in this category, even by God's gift.[72] One would also have to take stock of the differing understandings of revelation and its relationship to the Church.[73] Analyzing these blends is a much more extensive project than can be accomplished here, but I mention the possibilities as a way of showing how Lindbeck's argument could be made stronger by attending more-fully to the blends that create the conditions in which Catholics find themselves required to affirm Mary's preservation from sin from the first moment of her conception by God's grace, while many Protestants find themselves barred from saying the same.

Example 3: Infallibility

Of the issues he engages as test cases, infallibility is the one with which Lindbeck himself had been most fully engaged as an ecumenical issue. The US Lutheran–Roman Catholic dialogue had only recently begun its consideration of Mary when *Nature of Doctrine* was published, but had completed its engagement with infallibility, published in 1980.[74] Here Lindbeck makes the most direct link between the "regulative" and the

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faith required them to speak of the Mother of our Lord as sinless in a way concealed from the first generations." Ibid.

[72] The differing habitual blends regarding sin, namely SIN IS OPPOSITION TO GOD'S WILL and SIN IS A CAUSE FOR SEPARATION FROM GOD, will receive more explicit examination later.

[73] This might include the THE BIBLE IS REVELATION and THE SPIRIT LEADS THE CHURCH INTO DEEPENED TRUTH.

[74] The eighth round of the dialogue on Mary and the Saints ran from 1983–1990, and was published as H. George Anderson, J. Francis Stafford, Joseph A. Burgess, eds., *The One Mediator, the Saints, and Mary: Lutherans and Catholics in Dialogue VIII*, (Minneapolis: Augsburg Fortress, 1992). The sixth round, regarding infallibility had run from 1973–1978, while Lindbeck had been preparing the *Nature of Doctrine*. It was published as Paul C. Empie, T. Austin Murphy, and Joseph A. Burgess, eds., *Teaching Authority and Infallibility in the Church: Lutherans and Catholics in Dialogue VI*, (Minneapolis, Augsburg, 1978). Lindbeck himself published several works on infallibility in this period, including one paper in the proceedings of the dialogue, "The Reformation and the Infallibility Debate," 101–19 in Empie,

"linguistic" frames of his proposal. Following his reading of Karl Rahner, he describes

infallibility as properly describing the decision, while the doctrine is properly termed

"irreformable."[75] This allows him to make a connection between how a linguist would

define a point of grammar as "correct" and how a theologian might judge a theological

logion. Both would ask a version of the question, "How do competent speakers speak?"

Of course, as Lindbeck points out, the variety of ecumenical difference, and the fact that

"most Christians throughout most of Christian history have spoken their own official

tongue very poorly," means that judging authentic Christianity first requires judging who

is a truly competent speaker.[76] He describes three general patterns for doing this, one of

which is infallibility. The other two are Protestant exclusivist *sola scriptura* doctrines and

the Orthodox attempt to continue the pre-schism pattern of judging according to the

whole.[77] Because he sees each of these as a second-order rule for judging which speakers

of "Christian" are expert speakers, they are rules that do not necessarily conflict in the

situation of a future reunification of the churches. However, he also assumes that such

rules will fall away (except perhaps that of the Orthodox) under such a reunification. In

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Murphy, and Burgess. He also gave the 1972 Père Marquette Lecture at Marquette University on the topic, published as Idem, *Infallibility*, (Milwaukee: Marquette University Press, 1972).

[75] See Lindbeck, *Infallibility,* 42–43. Lindbeck does not point to particular writings by Rahner, instead, pointing to Rahner's "many writings on 'anonymous Christianity,' 'transcendental' and 'categorical' revelation, and the development of dogma." Ibid., n. 51. He more exactly cites Gregory Baum and Richard McBrien's articles in J. Kirvan, ed. *The Infallibility Debate,* (New York: Paulist Press, 1971). The same book is also cited to make the same point in *Nature of Doctrine*, 99.

[76] Lindbeck, *Nature of Doctrine*, 100.

[77] Lindbeck finds the Orthodox use to be severely limited by the situation of a divided church. Of course, some Orthodox would respond that the church is not divided, and so Lindbeck's objection does not hold. (As an example, see the letter to Pope Francis from Bishops Andrew of Dryinoupolis, Pogoniani and Konitsa and Seraphim of Piraeus and Faliro, available at goo.gl/jqVBIr. (Accessed, May 6, 2014.) Of course, this letter does not bear the authority of the entire Orthodox church, but does represent one method of dealing with the scandal of division.) Whether his judgment stands that the Orthodox position has led to a "traditionalistic immobility … not unrelated to the lack of a theory of final authority appropriate to a broken Christendom", is well outside the purview of this argument. Ibid., 103.

this, he is not adequately describing the Roman Catholic position, at least as articulated

by Karl Rahner, with which he began.[78]

Rahner would describe the decree regarding papal infallibility as a definitive

decree that is not logically necessary, and so therefore could have not been made, but

that, having been made, is irreformable.[79] While Lindbeck's engagement with divided

Christianity implicitly assumes that any future reconciliation will erase confessional

differences (in the manner described in the section above on the Creed), Rahner would

have to say that while the doctrines might be reinterpreted, they remain. Thus, a future

reunification would have to allow the inheritors of the Roman Rite a proper law in which

the past exercises of papal infallibility are maintained along with the possibility of its

future use. In a Lutheran rite, such a legal institution might not exist. Other Lutheran

structures for determining doctrine would be in its place. What would have to exist would

be structures by which papal pronouncements and Lutheran decisions were coordinated

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[78] Certainly it is not an adequate expression of what Vatican I is intending to proclaim (*Pastor aeternus* ch. 4, DH 3065–75), although Lindbeck seems convinced that should a situation of Christian unity be established, such questions would be once again up for discussion. This is further evidence that he has inadequately implemented his insight regarding reconciliation without capitulation, and understands Christian unity as entailing a kind of transcending of confessional identity.

[79] So, for example, "for a Catholic understanding of faith (which is characterised by the possibility of an evolution of irreformable 'new' dogmas), theology is ultimately not merely the non-binding human reflection – of an always reformable kind – on an unchangeable phenomenon without a history (e.g. a sacred scripture understood in this way); rather, it is the way in which an absolute history of faith takes place, a history which is irreversible and opens only into the future." K. Rahner, "Scripture and Theology," 89–97 in *Theological Investigations VI: Concerning Vatican Council II*, Karl. H. Kruger and Boniface. Kruger, trans. (Baltimore: Helicon, 1969), 91. See also, Idem, "Considerations on the Development of Dogma," 3–35 in *Theological Investigations IV: More Recent Writings*, Kevin Smyth, trans., (Baltimore: Helicon, 1966); Idem, "The Teaching Office of the Church in the Present-Day Crisis of Authority," 3–30 in *Theological Investigations XII: Confrontations*, David Bourke, trans., (New York, Crossroads, 1975); Idem, "Basic Observations on the Subject of Changeable and Unchangeable Factors in the Church," 3–23 in *Theological Investigations XIV: Ecclesiology, Questions in the Church, the Church in the World*, David Bourke, trans., (New York: Seabury Press, 1976); Idem, "On the Concept of Infallibility in Catholic Theology," 66–84 in *TI XIV.*; Idem, "Magisterium and Theology," 54–73 in *Theological Investigations XVIII: God and Revelation*, Edward Quinn, trans., (New York: Crossroad, 1983).

in such a way as to maintain communion in the truth, but the shape of what this would look like is still beyond imagining in the present, divided church.

Looking at Lindbeck's third test case with the insights of cognitive-linguistic analysis, we see a similar point. Consider the extrincicist understandings of truth he demonstrates, despite pointing to culturally- and incarnationally-mediated forms. Lindbeck rightly argues that the regulative, grammatical nature of doctrines like *sola scriptura* and papal infallibility means that they need not be finally contradictory. But his analysis of what we learn from this difference about a possible unity is deficient. The analysis of words describing color, referenced above, showed both that cultural difference is not unimportant to our perceptions of color, and that a strong Whorfian hypothesis is not a possible option.[80] Christians can come to understand the inner logic of another tradition by examining the assumptions implicit in their own and the other's way of speech. This does not mean that the difference will be erased, or that a new pidgin will be created. Communion need not erase diversity, nor will it necessarily require abandoning difference. Moreover, and analogously to the structures of the eye, there can be aspects of the Christian gospel that will determine how that difference expresses itself, without there being any single extra-confessional way of describing it.

Lindbeck's regulative description of doctrine falls within a cultural-linguistic model that he fails to fully implement. His implicit assumption that a future ecclesial reconciliation will require abandoning ecclesial structures or doctrines developed in the

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[80] Benjamin Lee Whorf was a 20c. linguist who proposed that language shapes the ways in which humans are able to conceptualize their world. Linguists distinguish between a "strong Whorfian hypothesis" that is, that language determines how humans are able to engage the world, and a "weak Whorfian hypothesis," that is, that language effects how humans are able to engage the world. See Kövecses, *Language, Mind and Culture*, 3–16.

situation of schism need not follow from his own proposal. On the contrary, assuming that outcome weakens both the test cases he proposes and their explanatory power.

Network Analysis, Blending, and Differentiated Consensus

Differentiated consensus, the product of ongoing bilateral dialogue, requires a method of description and analysis to make it available to those who are not steeped in the decades-long exercise of engagement represented by the dialogues themselves. As alluded to above, there is good reason to believe that the network analysis developed for the investigation of cognitive metaphor and metonymy by cognitive linguists bears a strong potential for filling this need. In particular, it can make clear the underlying structures of thought that make an implication proper or improper within a system. I will briefly develop Masson's claim that "[t]ectonic figurative conceptualization and inference provide a crucial key to the resolution of significant theological controversies at popular, academic, ecclesiastical, and ecumenical levels," specifically paying attention to ecumenical concerns.[81] I will then relate this to the descriptions of "differentiated consensus" provided by Meyer and "consensus with difference" from Hietamäki. Finally, to make a transition from pure theory to the particular case in the JDDJ that will be spelled out in the following chapters, I will briefly introduce the particular blends that will be central in my analysis of the Lutheran and Roman Catholic claims regarding the anthropology of the justified Christian, and are held in differentiated consensus in JDDJ 4.4 and Annex 2A and B.

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[81] Masson, *Without Metaphor*, "Thesis 7," 8.

Tectonic Figurative Conceptualization in Ecumenical Theology

In describing the necessity of metaphoric thought process for theological description, Masson is careful to note that showing any particular statement to be tectonic is not a proof of its truth any more than calling a statement analogical in Thomas means that it is necessarily true.[82] If a Thomist were to argue that "God is evil," he would, by necessity be making an analogical statement: God's evil would not be as human evil. His statement would nonetheless be ruled out of bounds by Christian theology. But attending to how a particular tectonic statement is constructed, and on what metaphors it rests, the "blend," can be a helpful tool in uncovering why one Christian tradition would want to affirm the blend while another would have to rule it out of bounds.

Moreover, this can help the reader who is not fluent in both modes of discourse to remember that her own mode is also using language in ways that push beyond what we think of as the "plain sense." While a particular theological expression may be entirely proper and even necessary within a particular tradition, it can be built-up of blends that may not be shared with the dialogue partner. Those who are engaged in dialogue may come to be fluent in the other's way of speaking, and so are able to code switch in such a way as to make the agreed consensus quite clear.[83] However, as has been expressed several times, reception is necessary to the effectiveness of the dialogues' work. Describing the other's theology to those not engaged in the dialogue may be aided by making the blends by which they are expressed more transparent. Of course, sketching

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[82] See discussion above at pg. 150.

[83] "Code-switching" is a linguistic term referring to a bilingual or bidialectical individual's ability to express themselves in two different modes of speech, usually without confusing them.

out the blends explicitly can also make clear that one's own language is not as plain as one would assume it to be, because it makes use of customary metaphoric blends.[84]

As an example we can look to one of the early US Lutheran–Roman Catholic Dialogues, *The Eucharist as Sacrifice* (ES), and its engagement with the seemingly contradictory claims, "The Eucharist is a [Propitiatory] Sacrifice" (Roman Catholic) and "The Eucharist is not a [Propitiatory] Sacrifice" (Lutheran).[85] In engaging the question, the dialogue attended both to particular doctrinal engagements with the question, along with concerns that each side sought to protect in its claim. Among other concerns, the understanding of "Propitiatory Sacrifice" was, understandably, central. While not directly describing a differentiated consensus on the topic, the dialogue sought to clarify what Catholics and Lutherans intended by this language as it is applied to Calvary and the Mass. There were two concerns buried in the discussion, first, that saying "Calvary was a Propitiatory Sacrifice" might require a particular Anselmian understanding of Christ's saving work; secondly, that to apply the language of "sacrifice" to the Mass could be taken to imply that it "adds to Calvary, is a 're-doing' of Calvary and … [thus] that the one sacrifice of Christ is defective and incomplete."[86] We will attend to the second question alone as our example.

Both Lutherans and Catholics wish to deny that the Mass is a re-sacrificing of Christ or that the liturgical action completes something that is incomplete in Christ's

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[84] As an example, remember "the Temperature is rising," (see p. 143 above) which seems on first examination to be a purely "literal" and unmetaphoric expression. It, however, requires at least the metaphor MORE IS UP, and likely also HEAT IS A QUANTITY.

[85] U.S.A National Committee of the Lutheran World Federation and the Bishops' Committee for Ecumenical and Interreligious Affairs, *Lutherans and Catholics in Dialogue III: The Eucharist as Sacrifice*, (Washington, D.C.: United States Catholic Conference, 1967). Hereafter ES.

[86] ES, §III.3

work. They have, however, historically reached opposite conclusions about the

appropriate use of language because of this claim.[87] If we consider the blend, "The Mass

is a Sacrifice" from a Roman Catholic perspective (or that of the sense in which the

dialogue accepts the Roman Catholic position), we might picture the most salient aspects

of the blend in the following way (Fig. III-8):

Christ on Calvary
Once-for-all

Jesus' hisorical body

Divine Action

Offering of self/
obedience to God

Frequency

Elements

Actor

Kind of Offering

Eucharistic Liturgy
Repeatable

Bread & Wine

Church

Offering (of praise)
to God

Eucharist as Sacrifice
Repeatable Re-Presentation

Sacramental Body of Christ

Action of the Totus Christus

Plea to God to remember
his mercy accomplished in
Christ's Action

Figure III-8:
Double-Scope Blend:
The Eucharist as Sacrifice

In this example we see the sacramental action making present the one sacrifice of Christ.

It is the action of the church made possible because of its union with Christ, that is, as his

body. In this action, the *totus Christus* repeatedly asks the Father's mercy on account of

the once-and-for-all action of the Son. The example is felicitous because it demonstrates

a fairly simple agreement that describes why a seemingly clear historical contradiction is

instead a possible location of agreement between the two churches. Lutherans remain

wary of the potential difficulties raised by the Roman Catholic language, but are able to

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[87] In the document itself, "Catholics agree that some of the language used in the 16th century by
Catholics could be so interpreted," but flatly states that this is not now and was not the position of the
Catholic Church. Ibid.

acknowledge that these are not its intended outcomes. Roman Catholics can recognize the Lutheran hesitancy to use their language not as a denial of the intended meaning, but as a wariness against historical abuses.

The blend is a double-scope blend, meaning that the common space partakes of both inputs. "The Eucharist/Mass as Sacrifice" describes a repeatable event but in a way that maintains the unicity and once-for-all character of Christ's sacrifice on Calvary. It makes the church's action necessary, but in such a way that it remains properly the action of Christ, not a Pelagian action demanding grace apart from God's work. Importantly, this blend rests on another habitual tectonic blend that Lutherans and Catholics hold in common, that is, the very complex blend SACRAMENTAL REAL PRESENCE, which allows for both unity and distinction, unicity and multiplicity, and is shared by churches that affirm the real presence of Christ in the eucharist. Engaging the question of sacrifice in a dialogue between the Roman Catholic Church and one of the traditions that are wary of sacramental language would require a different common agreement, if one could indeed be reached.[88]

"Differentiated Consensus" and Tectonic Figuration

When Meyer describes the process by which differentiated consensus arises, it is important to notice that he is describing a protracted process of dialogue, of learning to speak the language of the other as they would speak it. In the process, it can happen that

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[88] As an example of such a dialogue, see Willard Roth and Gerald W. Schlabach, eds. *Called Together to be Peacemakers: Report of the International Dialogue between the Catholic Church and Mennonite World Conference, 1998–2003*, (Kitchener, ON: Pandora Press, 2005), §II.B. Also available online at http://goo.gl/iM2yQf (Accessed April 21, 2014). The difficulty of the task may explain why the dialogues between the Roman Catholic Church and the churches without a strong sacramental theology have tended to focus on the authority of the Scriptures and on the mission of the churches.

what arises is an understanding that the other's language is authentically Christian. That is, it expresses an aspect of the same Christian Gospel. This can occur, as it has in the context of the conversation regarding justification, as a new, tectonic understanding of a seeming contradiction.

In carefully attending to any differentiated consensus having arisen out of an interconfessional bilateral dialogue, we can see it providing direct attention to the blends habitually made by each dialogue partner and to their mutual interaction. This is already present in the documents of the dialogues, albeit in a somewhat hidden form. Such phrases as "when Lutherans say," "According to Lutheran teaching," or "Catholics emphasize that" provide clues to this reality; they are found throughout the JDDJ and are common throughout the documents of the bilateral dialogues.[89]

This process of comparison and understanding is more complicated, in part because these systems of thought and expression are genetically related.[90] It leads to the possibility of quite different and potentially incompatible use of related concepts. From the evolutionary frame, we might consider the commonality found in the limbs of land animals and their aquatic descendants. Practically all of these animals display a "1 bone-2 bones-lots of blobs-digits" pattern extending from the shoulder joint, whether that pattern

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[89] Just a partial list will make this clear: "When Catholics/Lutherans say that" JDDJ §§20, 29, 33; "According to Lutheran/Catholic teaching/understanding" JDDJ §§21, 26; "When Catholics/Lutherans emphasize," JDDJ §§23–24, etc. Other phrases to make the same point are also found throughout the document.

[90] The use of this frame (HISTORICAL DERIVATION OR RELATION IS GENETIC) is considered. Its use in both evolutionary and linguistic analysis provides more-than-adequate room for engaging the similarity and differences which occur in Lutheran and Roman Catholic accounts of the anthropology of the justified sinner, while keeping the reader in the frame of a historical analysis of relationship and difference in a cultural-linguistic system.

is expressed as a wing, an arm, a leg, or a fin.[91] We can point to the abstract structural

connection as evidence of a common heritage. In the realm of use, however, a fin and a

wing are quite different and neither would be effective as a leg. Lutherans and Catholics

similarly use much of the same inherited technical terminology, but not always in ways

that are recognizable to the other as appropriate. Returning to the linguistic side of the

analogy, we could say that there are many false friends (or *faux amis*) shared between the

two theological traditions.[92]

　　Nevertheless, both are attempting to express the common gospel of salvation in

Christ Jesus; they are also preaching to a common humanity, even if in different cultural

contexts.[93] They have to deal with many of the same theological tasks (avoidance of

particular defined heresies, human tendencies that require ecclesial response, etc.)

Particularly regarding the anthropology of the justified Christian, these structural

constraints would include the avoidance of pelagianism and of antinomianism, the

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[91] This pithy description of the pattern is from Neil Shubin, *Your Inner Fish: A Journey into the 3.5-Billion-Year History of the Human Body*, (New York: Pantheon Books, 2008), 32. The pattern itself was first described by Sir Richard Owen in 1849, a decade before Darwin's *On the Origin of Species* in 1859. Owen, *On the Nature of Limbs: A Discourse Delivered on Friday February 9, at an Evening Meeting of the Royal Institution of Great Britain*, (London: John van Voorst, 1849).

[92] Linguists separate "false cognates" from "false friends." The former are similar in form, but derive from separate roots. This would be like the convergent evolution of analogous structures in the biological frame. As an example consider the separately evolved, but similar wing structures on modern bats and ancient pteranodons. "False friends" share a common root, but have diverged in meaning. In this they are like divergent but homologous structures in the biological frame. An example would be human limbs and dolphin fins.

[93] These two commonalities lead to two different kinds of relationships analogous to the distinctions of the previous footnote. Expressing the common gospel of salvation would be analogous to false friends, or divergent evolution. The shared history, terminology, and proclamation has sometimes developed in different directions, and both the commonalities and the differences must be made clear.

　　The common human condition, to which the churches are speaking, on the other hand, acts analogously to convergent evolution, in which common conditions are responsible for multiple unrelated developments towards a common point. For example, the reality of sin in the baptized requires engagement, no matter the terms, cognitive frames, or methodologies by which it is approached, because it is so clearly the case; in the words of the Council of Trent, describing concupiscence, "But this holy council perceives and confesses (*fatetur et sentit*) that in the one baptized there remains concupiscence or an inclination to sin." (Session Five, (June 17, 1546), can. 5, DH 1515).

received Western theological tradition about original sin and sacramental action, and the need to "arrange all things such that the strong have a something to aspire to and the weak are not discouraged."[94]

As has been emphasized several times, while analysis of tectonic figuration may be helpful in the work of the bilateral dialogues, it's real utility will come to bear in explaining the differentiated consensuses that arise out of those dialogues to those who are stakeholders in the dialogues' work, but are neither ecumenical specialists nor especially versed in the theology of the dialogue partner. It can also be helpful in pushing past the facile engagements with ecumenical difference (seen in some of the examples of the previous chapter) that amount to saying, "Lutherans and Catholics are different, and therefore they cannot agree."[95]

The JDDJ's Anthropology: Describing the Operative Blends

It may be expeditious at this time to say something more in depth about this final point that relates to the nature of ecumenical statements of differentiated consensus. In a sense, the explanation of a differentiated consensus attempts to describe not only the habitual blends of each of the partner churches, but to produce its own double-scope blend in which the similarities between them are highlighted and the differences are shown to be compatible with the consensus. This means that reading such a consensus demands a double (or even triple) action of the reader. He must simultaneously seek to

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[94] RB 64:19: "sic omnia temperet ut sit et fortes quod cupiant et infirmi non refugiant."

[95] These engagements mistake the kind of blend which differentiated consensus represents. Instead of a double-scope blend (in which the inputs have different frames, each of which contributes to the blend), Hampson and others instead treat the consensus as a mirror blend (like the race example above, page 146). In such a blend, the two inputs share a common frame. In such a setting, Hampson's claim that the two theologies have different logics and therefore cannot agree would be sensible. As it is, it is a mistake.

understand the ecumenical meta-blend while attending to the possibility of its integration

with the normal theology of his own church, and if he is fluent in the habitual theology of

the other church, to that as well.[96]

Making this complex task easier for the reader can be aided by explicitly

engaging the different mappings by which each theology is constructed along with the

meta-mapping that the JDDJ provides. I will proceed as follows: in what remains of this

chapter, I will briefly introduce the blends that are at stake in describing the anthropology

of the justified Christian. Each of the next two chapters will then trace through the

theological claims of one of the two churches as represented in the JDDJ in light of those

blends. Each chapter will also have to attend to how those commitments are held together

with the consensus statement. The conclusion will investigate how these blends are held

together in the text of the JDDJ.

Sin

One of the areas that will require particular care is the blend that defines "sin." It

should not surprise us that the understanding of this term is important to defining what

the Christian person is, nor that the blend by which it is conceived might change with far-

reaching implications. As a parallel case, we might consider the argument made by Gary

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[96] As was averred to in chapter one, there is further difficulty if the theology of one of the churches is contested. This enters into engagements with the JDDJ in particular regarding the somewhat different accounts of justification offered by different Lutheran thinkers and schools such as that of the *Lutherrenaissance*, the contemporary Finnish school, the LC–MS, and Gerhard Forde, or historically, between the Lutheran Orthodox and Lutheran Pietists. As stated in chapter one, I cannot adjudicate between Lutheran theologies in this dissertation, and will therefore only engage with the question of whether the Lutheranism which is displayed in the JDDJ is brought into a successful differentiated consensus with Roman Catholic thought as displayed in the JDDJ. I can and will also try to show that that Lutheranism is grounded in Lutheran sources, and is therefore a possible Lutheranism, not merely a capitulation to the Roman Catholics, as some of the critics have argued. See above, beginning at p. 25.

A. Anderson.[97] Making use of the work of Lakoff and Johnson, Anderson argues that a change in understanding from SIN IS BURDEN to SIN IS DEBT lies at the root of shifts in theological understanding present in the Hebrew Bible. The shift also makes possible much of later Christian theology. Anderson's argument has been generally well-received. While it is a related project, the historical distance of this shift within the Hebrew Scripture from both Lutheran and Catholic theologies makes it not directly germane to the contemporary ecumenical discussion between Lutherans and Catholics. It does, however, emphasize the extensive theological implications that a conception of sin can have.

As will become clear in the succeeding chapters, there are different operative blends active in the Lutheran and Catholic engagements with the anthropology of the justified sinner. I will be engaging several closely-connected commitments on each side, but they are given shape by the blends SIN IS CAUSE FOR SEPARATION FROM GOD (Roman Catholic) and SIN IS SOMETHING OPPOSED TO THE DIVINE LAW (Lutheran).[98] Each of these structures what can and cannot be said about post-baptismal sinfulness. If sin is a state, then it is in relationship of mutual contradiction with the justification and divine favor. If, however, it is a descriptor of things that fail to live up to the entire divine desire for the human person, than one can speak of sin and justification as mutually existing in the justified Christian.[99]

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[97] Gary A. Anderson, *Sin: A History*, (New Haven: Yale University Press, 2009).

[98] These blends will be nuanced and provided depth in chapters four and five. It is also important to note that while they are illuminative, they are not exhaustive of either communion's anthropological teaching.

[99] As we engage this question on the Lutheran side of the discussion, we will have to engage the intra-Lutheran disagreement regarding whether the *simul iustus et peccator* is to be understood in a *partim-partim* or *totus-totus* manner. The distinction has to do with the question of whether the *iustus* and *peccator*

Framing

Another difference to which we will have to attend is the way in which the operative blend for sin is framed in each theology. The Roman Catholic understanding of sin is sacramentally framed, specifically in terms of the sacrament of baptism. That the Roman Catholic teaching priveleges the logic of the baptismal rite is clear in the documents.[100] Baptism is a non-repeatable sacrament in which people are "cleansed from sin and rise to a new birth of innocence by water and the Holy Spirit."[101] Catholics affirm that "the sanctifying action of the Holy Spirit removes the guilt of sin (*reatus culpae*) and renders the justified pleasing in God's sight."[102] This is the position and central concern of Trent, which rules in its fifth session that the church "has never understood that [concupiscence] is called sin because it would be sin in the true and proper sense in those who have been reborn, but in the sense that it comes from sin and inclines to sin."[103] This declaration protects the efficacy of the sacraments, particularly baptism, and necessitates an account of the Christian as sacramentally renewed by the indwelling of God. At stake is the divine action in the sacrament which changes the state of the baptizand. If sin, properly-speaking, remains after baptism then the sacrament does not accomplish its goal.

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are to be understood as entire realities held in tension or parts of a greater whole, or both. See chapter five, beginning on p. 270.

[100] See, for example JF §95–96.

[101] Rite of Christian Initiation of Adults, §571. The logic of baptism is shared between both Catholics and Lutherans. Similar descriptions of baptism are present through Luther and Lutheran works, but are not explicitly engaged to provide the frame within which sin in the Christian is understood.

[102] JF, §102.

[103] Council of Trent, *Decree on Justification* (17 June, 1546), canon V. DH 1515,

On the other hand, the Lutheran understanding of sin is framed not primarily sacramentally, but in terms of the distinction between law and gospel that structures much of Lutheran theology. Luther himself defines the distinction, and Lutheran theologians have prized it since the sixteenth century. Here, law and gospel have a proper theological sense which denotes the two "words" that God speaks to the believer: the word of condemnation (law), and the word of grace (gospel). "The law reproves unbelief by reproving those who do not believe God's Word. … [E]verything that provides comfort—everything that offers the favor and grace of God to those who have transgressed the law—is and is called the gospel in the strict sense."[104] It is important to note that both law and gospel are found in all parts of the Bible. [105] Discerning to which realm any theological or biblical proposition belongs is held up as the central task of all theology. In a useful anecdote, Luther is portrayed as describing the entire task of the theologian in terms of the distinction. Even the mastery of Scripture is subordinated to the purpose of distinguishing between law and gospel:

> Anybody who wishes to be a theologian must have a fair mastery of the Scriptures, so that he may have an explanation for whatever can be alleged against any passage. That is to say, he must distinguish between law and gospel. If I were able to do this perfectly I would never again be sad. Whoever apprehends this has won.[106]

The character of the human, then, is described in terms of that which is required of him but he is incapable of fulfilling (law), and that which is freely given him in Christ

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[104] FC, SD 5:19–21.

[105] Thus, in *Bondage of the Will*, Luther can disparage Erasmus' exegesis of Isaiah in terms of its failure to distinguish law and gospel: "In these passages our Diatribe makes no distinction whatever between expressions of the law and of the gospel; for she is so blind and ignorant that she does not know what law and gospel are. For out of the whole of Isaiah, apart from that one verse, "If you are willing," she quotes not a single word of the law, all the rest being Gospel passages, in which the brokenhearted and afflicted are called to take comfort from a word of proffered grace. But Diatribe turns them into words of law." LW 33:132.

[106] Table Talk, LW 54: 111.

(gospel). This sensibility mirrors the logic of the confessional, requiring both real repentance of one's sins and trust in God that they will be forgiven.

Only in light of this central, structuring distinction, can we make sense of *simul iustus et peccator* within Lutheran theology. From the standpoint of the law, the Christian is fully sinner, for she is incapable of living as the law requires, while from the standpoint of the Gospel, the Christian is totally righteous because Christ's righteousness is God's gift to her. This does not mean that the Christian is worthy of damnation, because "despite their sin, [Christians] are not separated from God."[107] Just as the Roman Catholic understanding of sin is framed by an insistence on the efficacy of baptism, the Lutheran understanding that sin is anything contrary to God's law finds its proper explication only within the frame of the law and the gospel.

Chapter Conclusions

In this chapter, I have applied the insights of cognitive linguists to understanding the questions relating to consensus developed in the previous chapter. Describing the blends by which particular theological positions and the differentiated consensus recognized between them are achieved can make clearer the reasons why particular

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[107] *JDDJ*. §30. So also Guido Bausenhart, "Simul Iustus et Peccator: Zum römischen Einspruch gengen die 'Gemeinsame Erklärung zwischen der katholischen Kirche und dem Lutherischen Weldbund über die Rechfertigungslehre." *Catholica* 1999(2), 131–2. *Iustus* and *peccator* are both total descriptors of the believer, of the justified person. That means that while that he is a sinner is not everything which can be said about the person, although everything said about him which doesn't take the reality of sin into account is false, and the same is true of justice. This is also clear from its converse, from which Luther regularly distances himself: *iustus* like *peccator* does not mean some part of humans; that is the human understanding of justice (*iustitia humana*).

"'Iustus' und 'peccator' sind beides Totalbestimmungen des gläubigen, des gerechtfertigten Menschen. Damit, daß er Sünder ist, ist zwar noch nicht alles gesagt über den Menschen, aber alles, was über ihn gesagt wird, ist falsch, wenn nicht diese Realität der Sünde mit ausgesagt ist - und das gleiche gilt für die Gerechtigkeit. Deutlich wird das auch vom Gegenkonzept her, von dem sich Luther regelmäßig distanziert: 'iustus' wie 'peccator' meint nicht etwas am Menschen; das sei die menschliche Vorstellung von Gerechtigkeit ('iustitia humana').

theological commitments are required or impossible within a particular tradition and how that position can be related to the dialogue partner. In this, double-scope blends are particularly important, as these hold two different frames in tension in such a way that neither is in complete control of the blended space. They can allow what Masson has called, "tectonic blends," that is, new perspectives only possible because of the insistence that two, seemingly incompatible, commitments be held together.

In seeking to understand the theological anthropology of the Joint Declaration on the Doctrine of Justification, attention to the different blends for SIN and its framing will help make clear not only why the JDDJ represents authentic agreement, but why it seems to be an equivocation to those who have approached its consensus as a mirror blend rather than a double-scope blend. In the former, the two sides share the same frame, and thus can be compared exactly. In the latter, the difference of frames means that a certain amount of tension is present, requiring some work to reconcile them.

In each of the next two chapters, this will be made clear, first from the Roman Catholic perspective (chapter four) and then from the Lutheran perspective (chapter five). Chapter four will proceed in the following manner. I will begin by attending to the history of the development of the Catholic position, and its sixteenth-century opposition to the Lutherans. I will then clarify its position by attending to the primary narratives by which the various inputs are held together in tension within Catholic tradition. Then this narrative will be described in the terms of the cognitive linguistic analysis outlined in the previous chapter. Finally, the reasons why the Lutheran blend may appear to be anti-gospel from within the Catholic framing will be elucidated along with an engagement

with how the apparent difficulty is resolved in the JDDJ. The same procedure will be followed in engaging the Lutheran position in chapter five.

Attention to theological blending is much more than merely playing word games. Theology is built of language and liturgy; by these means we produce and reinforce habitual theological, metaphoric linkages in human cognition. Our embodied nature, a central commitment of both Catholic and Lutheran understandings of the divine engagement in human history, requires an attention to not only God's incarnation but to ours. Christians have insisted that the resurrection must be a resurrection of the *body* to be an authentically human resurrection; Christian theology is on its strongest ground when engaging questions of truth through the categories of embodiment. Attending to the linguistic, cultural, and liturgical forms by which our theological thinking is shaped can only make us more attentive to the truth, receptive to the other, and able to seek a true unity that does not undercut legitimate human diversity.

CHAPTER FOUR:
CONCUPISCENCE IN AN ESCHATOLOGIACL LENS

Chapter Introduction

Having laid considerable groundwork arguing for the possibility of a truly

differentiated consensus, I will now apply that theory to the document serving as focus of

our attention. Two related historical claims will provide us purchase for engaging the

consensus of the JDDJ: Trent's insistence that concupiscence is not, properly speaking,

"sin," and the Lutheran aphorism, *simul iustus et peccator*.[1] These are related *loci classici*

of the Lutheran–Roman Catholic debate. Both questions received extensive public

engagement in the final stages of the JDDJ process.[2]

Each of these controversial convictions relates to the anthropology of the baptized

Christian. Each seeks to balance the proclaimed reality of Christ's justification of the

sinner with the experience of continuing to be affected by what Paul calls "the flesh."[3]

Understanding the ecumenical difficulty regarding the one will require developing an

understanding of the other. For the sake of explanation, however, they will be examined

separately and in the context of their native traditions.

In effect, each anthropology logically subsequent to justification describes an

eschatological reality; it proposes a description of the Christian existing in the "already/

not yet" of the kingdom. In this, it describes the human being in a manner analogous to

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[1] While the claims are related, they are not merely parallel and require ongoing translation in relation to one another. This chapter will approach their relationship from the perspective of the Tridentine declaration. The next will do so from the Lutheran perspective.

[2] See chapter one beginning at p. 20.

[3] As in Rom 7–8.

classical sacramental theology, proposing both a unity and a differentiation between *res*

and *sacramentum* (reality and sign).[4] In another manner of speaking, one could say that

each doctrine seeks to balance language about the *state* of the justified (a non-scalar

reality based entirely on God's action)[5] with the assurance that the faithful are not yet

what God desires them to be. This transformation implies a *trajectory*, requiring scalar

language and admitting of, or even requiring, human response to the divine action.[6]

Despite inheriting seemingly incompatible and potentially irreformable

theological language, in the JDDJ the Catholic Church and the LWF describe a real

consensus on the eschatological anthropology of the baptized. The Lutheran and Catholic

descriptions of the Christian begin from different starting points, use different lenses to

judge their fittingness to the Gospel, and make use of different points of reference.[7] They

therefore entail different anthropological accounts of the Christian in his eschatological

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[4] The *res tantum* (thing alone) is the religious or final effect of the sacrament. For baptism, as an example, this is rebirth as a child of God. The *sacramentum tantum* (sign alone) is the sacramental sign by which it is enacted (water and the proclamation of baptism in the triune name). These two have an effect in the church's life as *res et sacramentum*, or the ecclesial effect of the sacrament. For baptism, this is membership in the church and freedom from original sin. The ecclesial effect, while efficacious and truly present, remains to be perfected in the world to come. In this example, ecclesial membership and freedom from original sin are finally perfected in the in full unity with the Father through Christ in the Spirit with the restoration of original justice such that the Christian is, to borrow a distinction from Augustine, *non posse peccare*.

[5] For the way I am using these terms, see chapter three. Briefly, "non-scalar" denotes a term which either is, or is not, present, true, or apt. "Scalar" describes something which admits of various levels of presence. There are hybrid cases, which I have called "threshold" and "growth" categories, following the suggestion of Michael Root. See p. 91, n. 45.

[6] While this language of a trajectory, or even a "growth in justification" is clear in the Roman documents, most especially, the Council of Trent, (Session VI, Ch. 10), it is also present in the Lutheran tradition, despite the language of "mere passivity." See David S. Yeago, "Interpreting the Roman Response to the Joint Declaration on Justification" *Pro Ecclesia* 8 no. 4 (1998), 406–10.

[7] In the language of chapter three, each produces a different "blend" in which the seemingly contradictory statements about divine accomplishment of salvation and human growth towards holiness are held in tension to produce a new field of meaning in which justification can be more adequately described. These blends seem mutually contradictory, but the JDDJ seeks to demonstrate that the points of supposed contradiction can be shown to be merely apparent. In doing this, it produces a third "blend" which accounts for Lutheran and Catholic anathemas and touchstones.

and fleshly aspects. Both are attempting to reconcile those two realities, the already and the not yet.

Each doctrinal commitment will be examined in its own chapter: concupiscence in this, and the "*simul*" in the next. Although each chapter will have to give an historical introduction to the area of dispute, the final emphasis will be on understanding the metaphoric framing by which this position is made necessary. This will allow a demonstration of how each position is compatible with the agreement in §4.4 of the JDDJ ("The Justified as Sinner"). It will also allow a demonstration that the others' seemingly contradictory position can be accepted, thus comprising a true differentiated consensus.

Each theological description must account for both the new life in Christ and the continued struggle against sin. Insisting that the different descriptions be read as instances of the initiated eschatological reality of the Christian in Christ, that is, as a kind of eschatological double-vision, allows each to be understood on its own terms without thereby requiring the repudiation of the other. The cognitive-linguistic explanation of ecumenical consensus detailed in the previous chapter can provide an account of truth in which the dialogue members' experience of recognizing a consensus in difference can be explained; it should also provide a means for clarifying that insight to others. As noted at the end of the previous chapter, I will be arguing that different metaphorical blends for SIN[8] and different controlling frames make different theological commitments necessary in each tradition. This causes each to take a different position on concupiscence and the sensibility of the Lutheran "*simul*." The fact that they take these positions within their

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[8] The reader will remember that to differentiate the consideration of blends and frames from normal usage, I am following the usage standard in cognitive linguistics and placing these terms and phrases in small caps.

own theological visions, however, need not mean that they are in a true contradiction, once the positions are understood in terms of the antecedent metaphorical blends. This type of consensus need not supplant or reject the inherited theological commitments of either party.[9]

This chapter will apply the method developed thus far to clarify how the shared sense of eschatological tension leads Roman Catholics to insist that concupiscence cannot properly be called sin. After an historical introduction, it will then attend to the primary narratives by which the eschatological reality is held together under tension by Catholics. The necessity of this position within Catholic theology will then be described in the terms of the cognitive linguistic analysis outlined in the previous chapter, specifically in terms of the blends by which SIN is understood and the controlling sacramental frame, BAPTISM. Finally, I will examine the reasons why the Lutheran position appears to contradict Catholic doctrine, and why this apparent difficulty is resolved in the JDDJ. I will end with brief engagements with the major Catholic critics of the JDDJ as they apply to the question of concupiscence to show how this analysis can be helpful in answering Roman Catholic concerns and aiding reception. The final chapter will follow the same procedure to attend to the Lutheran insistence on the anthropological descriptor, *simul iustus et peccator* as this is presented in the Joint Declaration.

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[9] Thus, it is not an example of the transconfessionalism described in chapter two, p. 99. Instead, it is precisely that product of bilateral ecumenical dialogue that Harding Meyer calls "differentiated consensus," described in chapter two.

Concupiscence in the Context of the Reformation

The question of whether concupiscence is sinful or not rests on two prior determinations: what concupiscence is, and what constitutes "sin," properly-speaking. A brief historical introduction to the terminology is found in chapter one, so here I will limit myself to an introduction to the sixteenth-century setting of the terms of dispute leading to the Tridentine definition. It has been said that the Reformation was a clash amongst Augustinianisms, trying to outdo each other in fidelity to their theological master.[10] This is particularly important to keep in mind in any consideration of concupiscence, which derives both its terminology and its theological elaboration from Augustine's own works.[11]

On the path to the Tridentine determination that concupiscence is not "sin in the sense of being truly and properly such in those who have been regenerated,"[12] the papal bull condemning Luther in 1520, *Exsurge Domine*, provides an appropriate starting point. The ongoing discussion can be traced through the documents related to the Diet of Augsburg (1530) and the Diet of Regensburg (1540–41). Trent itself dealt with the question in Session V (June 17, 1546). As this chapter is primarily interested in the Roman Catholic position, the canons of Trent serve as an appropriate sixteenth-century

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[10] The argument is most notably made by Jaroslav Pelikan *The Christian Tradition: A History of the Development of Doctrine*, vol. 4, *Reformation of Church and Dogma (1300–1700)*, (Chicago: University of Chicago Press, 1984), 12–22. This recognition is also explicitly present in the predecessor documents to the JDDJ, see LK *Rechtfertigung*.II.4; 47–48.

[11] See chapter one above, pages 48–52.

[12] Council of Trent, Session V (June 17, 1546), canon 5. DH 1515; Tanner II:667.19–20. "ecclesiam catholicam nunquam intellexisse, peccatum appellari, quod vere et proprie in renatis peccatum sit."

terminus, providing as they do the definitive definition with which the contemporary

dialogue has had to wrestle.

Antecedents to the Tridentine Decree

Exsurge Domine (1520)

Leo X's bull, *Exsurge Domine* is a difficult document to engage theologically for

several reasons.[13] First, it seems to be based on knowledge of only a small subset of

Luther's early writings, and so one can ask if it is a reasonable engagement with even his

early thought. Of its forty-one condemned propositions, at least twelve "did not

accurately quote Luther or cannot be taken to express his sentiment."[14] Furthermore, the

bull is incredibly vague as to the severity of its judgments of particular propositions:

> All and each of the above-mentioned article or errors, as set before you, We
> condemn, disapprove, and entirely reject as respectively heretical or scandalous or
> false or offensive to pious ears or seductive of simple minds and in opposition to
> the Catholic truth.[15]

Clearly, Leo X intends the faithful to reject these propositions; there is, however, a great

difference between a heretical proposition and one judged to be seductive of simple

minds. Heretical propositions have been judged to be necessarily destructive of the

Gospel in themselves, while something "seductive of simple minds" might be orthodox in

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[13] Leo X, Bull *Exsurge Domine,* (June 15, 1520), DH 1451–1492. Hereafter, ED.

[14] See Hans J. Hillenbrand, "Martin Luther and the Bull *Exsurge Domine*," *Theological Studies,* 30 no.1 (1969): 111. Another, perhaps less difficult, concern is that ED is a rejection of propositions held to be Martin Luther's personally, and not a rejection of what would become the Lutheran position in time.

[15]ED *Censure*, DH 1492. "Praefatos omnes et singulos articulos seu errors tamquam, ut praemittitur, respective haereticos, aut scandalosos, aut falsos, aut piarum aurium offensivos, vel simplicium mentium seductivos, et veritate catholicae obviantes, damnamus, reprobamus, atque omnino reicimus."

itself, but easily lead to theological aberrations among the unlearned.[16] Leaving the specific charges against the listed statements undifferentiated in this manner greatly obfuscates attempts to interpret the document. Nevertheless, *Exsurge Domine* sets the direction in which the discussion would develop. The second and third (rejected) propositions invoke concupiscence:

> 2. To deny that sin remains in a child after baptism is to disregard both Paul and Christ alike.
>
> 3. The tinder of sin hinders a soul departing from the body from entering into heaven, even though there is no actual sin.[17]

Proposition two is traced to the *Disputatio et excusatio F. Martini Luther adversus criminationes D. Johannis Eccii* of 1519,[18] by H. Roos.[19] It is abbreviated from a longer thesis, but the sense is unchanged.[20] Roos traces proposition three[21] to the support of Thesis 24 in Luther's *Resolutiones disputationum de indulgentiarum virtute* of 1518.[22] The rejected article is a restatement of Luther's argument rather than a citation, but it is a fair paraphrase. Luther writes:

> They say all these things as if there were no sins except actual sins, and as if the tinder [of original sin] which is left is not an impurity, not a hindrance, not a means which would delay entrance to the kingdom of heaven. Unless this

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[16] To illustrate the point, one might consider the difference between Pelagianism on the one hand, and theologies of Mary as coredemptrix on the other. While the second is not heresy, it can quickly lead theologically-untrained Christians or careless theologians into murky theological territory.

[17] DH 1452–53. "2. In puero post baptismum negare remanens peccatum, est Paulum et Christum simul conculcare. 3. Fomes peccati, etiamsi nullum adsit actuale peccatum, moratur exeuntem a corpore animam ab ingressu caeli."

[18] WA 2:160.33–35.

[19] H. Roos, "Die Quellen der Bulle *Exsurge Domine*," 909–26 in *Theologie in Geschichte und Gegenwart*, edited by J. Auer and H. Volk, (Munich: K. Zink, 1957), 919.

[20] The original reads: "In bono peccare hominem et peccatum veniale non natura sua sed Dei misericordia solum esse tale aut in puero post baptismum peccatum remanens negare, hoc est Paulum et Christum semel conculcare."

[21] Roos, "Quellen", 919.

[22] WA 1:572.10-14.

[original sin] is healed, it is impossible to enter the kingdom of heaven, even if there is no actual sin present, 'For nothing unclean shall enter it' [Rev 21:27].[23]

We should note that Luther's argument and the proposition rejected by Leo hinge on different blends for SIN. Perhaps because of this, they give different weight to the word "hinders" [*moretur/moratur*]. The citation from Revelation shows Luther to be asserting that concupiscence will be purged before the beatific vision. This would seem to be a rather uncontroversial assertion.[24] On the other hand, *Exsurge Domine* seems to be rejecting the proposition that the presence of concupiscence at death would finally prevent the soul from attaining that vision.[25]

Although the propositions in *Exsurge Domine* are specifically condemned as the personal opinions of Martin Luther and not the Lutheran movement as a whole, they become central, recurring questions throughout the sixteenth century. The concern that baptism must be understood to truly remove sin (ED 2) remains a central theme in Roman Catholic thought on concupiscence, as will be seen in what follows. Similarly, the worry that salvation is imperiled (ED 3) if baptism does not truly remove sin provides an enduring motivation to the Roman Catholic engagement with the question.

Here we have the first aspect of the Roman Catholic blend: concupiscence cannot be understood to separate from God in such a way that it interferes with salvation. This has two implications: first, that "sin properly-speaking" names the cause of precisely such a separation. Second, the sacraments, to be effective, must overcome the inherited

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[23] LW 31:153.

[24] As Karlfried Froelich notes in his background paper for LK, "Augustine, who took his clue from Paul's medical language, had already pointed in this direction: the more God's grace takes control, the more the remaining concupiscence must diminish." "Justification Language in the Middle Ages," 143–161 in *Justification by Faith*, 146.

[25] This interpretation is somewhat less clear than that of the Luther passage, in part because there is no explanation of what is rejected about each proposition, or under what level of authority as noted above.

division from God that is termed original sin. Thus, we can initially call the Catholic

blend SIN IS CAUSE FOR SEPARATION FROM GOD.[26] On the other hand, Luther's position is

based on a blend that is better described as SIN IS THAT WHICH IS NOT IN ACCORD WITH

GOD'S LAW.[27] Thus, the Christian hope in heaven is, for Luther, evidence that God's

final purgation of all sin is possible.[28] Everyday experience proves that Christians are not

yet what the scriptures say that they will be, so the sacraments must not entirely purge

Christians of sin now; although they stand as sure evidence of God's mercy and final

power over sin.[29] These blends will be more explicitly developed in this chapter and in

the next, but keeping the end-point in mind will be helpful in following the argument.

Documents Related to the Diet of Augsburg (1530)

In 1530, Charles V called the Reichstag of the Holy Roman Empire to a Diet at

Augsburg, which would deal primarily with the defense of the empire against Turkish

invasion.[30] In order to serve this defense, he desired an end to the struggles over reform

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[26] This will be made more specific later in the chapter in light of the metaphoric use of Trent, to produce the blend SIN IS AN IMPURITY WARRANTING DISINHERITANCE. See below, p. 211.

[27] This phrasing is from Luther, *Against Latomus*, "*id quod non est secundum legem dei.*" WA 8:83.29.

[28] As will be developed below, this different blend for SIN will also cause the differing positions taken on the question of mortal and venial sin, and how Christians should describe these realities in their lives. See p. 291.

[29] Direct engagement with the Lutheran position belongs in chapter five. However, for examples of this kind of argument, see AAC II.42–45; JF §102–103; even the statement in the JDDJ that concupiscence "does not correspond to God's original design for humanity," (§30); see discussion in Annex §2B.

[30] Kolb/Wengert, 27. The AC begins with an introduction describing the calling of the council, as "first, to deliberate concerning aid against the Turk." *Preface*, 2–3. Latin. The German text makes it clear that this is a citation from the Emperor's summons to the Diet. See also, Herbert Immenkötter, *Die Confutatio der Confessio Augustana vom 3. August 1530*, (Munich: Aschendorffsche Verlagsbuchhandlung, 1979), 8–10. See also, Henrich Lutz, "Kaiser, Reich und Christenheit: Zur weltgeschichtlichen Würdigung des Augsburger Reichstages 1530," in *Confessio Augustana und*

that had plagued the Holy Roman Empire and so asked the princes and estates to prepare

an explanation of their theological positions and the reforms they had instituted.[31] The

document answering this charge, called the Augsburg Confession (AC), was prepared by

Philip Melanchthon and received Martin Luther's approval before its presentation to the

emperor.[32] It received an official response, called the Confutation of the Augsburg

Confession (CAC). Charles demanded that the evangelical party accept the CAC and

pledge to make no public response as a condition of providing them a copy, this condition

they refused. They instead had several people act as stenographers while the German text

was read publically.[33] Over the next several months, Melanchthon wrote an extended

defense, the *Apology of the Augsburg Confession* (AAC), on the basis of these notes.

These documents are central to both Lutheran self-understanding and to the developing

Catholic understanding of the Lutheran position, and require attention.

A fairly simple declaration in the AC asserts that

since the fall of Adam all human beings who are propagated according to nature
are born with sin, that is, without fear of God, without trust in God, and with
concupiscence. And … that this disease or original fault is truly sin, which even

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Confutatio: Der Augsburger Reichstag 1530 und die Einheit der Kirche, Erwin Iserloh, ed., (Munich: Aschendorffsche Verlagsbuchhandlung, 1980), 7–35.

[31] Charles V. "Des Kaisers Carl V. Ausschreiben zu dem Reichstage nach Augsburg an Kurfürst Johann von Sachsen," in *Urkundenbuch zu der Geschichte des Reichstages zu Augsburg im Joahre 1530*, ed. Karl-Eduard Förstemann (Halle: Waisenhaus, 1833), I:2–9.

[32] The AC replaces an earlier text more directly about the reforms, in order to combat the *Four Hundred Four Propositions* of Johannes Eck, that assembled citations from the Reformers with quotations from "Antitrinitarians and Anabaptists as well as Ulrich Zwingli … [to] give the impression that the Saxon theology affirmed most of the heresies known to the church." Thus the AC provides not only the Second Part dedicated to the reform of abuses(Articles 23–28), but an even more substantial First Part dedicated to demonstrating their orthodoxy (Articles 1–22). The sections on original sin with which we will deal are found in this First Part (specifically, Article 2). Kolb/Wengert, "Editors' Introduction to the AC," 28.

[33] Mark D. Tranvik, trans. "The Confutation of the Augsburg Confession," 105–139 in Robert Kolb and James A. Nestingen, eds., *Sources and Contexts of the Book of Concord*, (Minneapolis, Fortress Press, 2001), 105. The Latin text is 73–212 in Herbert Immenkötter, ed. *Die Confutatio der Confessio Augustana vom 3. August 1530,* (Münster Westfalen: Aschendorff, 1979). Hereafter, CAC.

now damns and brings eternal death to those who are not born again through baptism and the Holy Spirit.[34]

While generally approving the article, the authors of the Confutation offered some critique. Specifically, they reject a potential interpretation of the Augustana vis-à-vis concupiscence:

> Also rejected is their teaching that inherited or original sin is concupiscence, if they mean that concupiscence is a sin that remains in children after their Baptism. The apostolic see has already condemned two articles by Martin Luther where he taught that sin remains in infants after Baptism and the 'fomes' of sin hinders the soul's entrance into heaven. But if they are speaking in the manner of St. Augustine's teaching and call the inherited sin concupiscence in the sense that it ceases to be sin in Baptism, then this teaching can be accepted, for it is in accord with St. Paul, who said, "We are all born children of wrath" [Eph 2:3], and that "in Adam we have all sinned," Romans 5[:12].[35]

This would be a somewhat surprising response to the text of the AC, if it weren't for the prior condemnations of Luther in Exsurge Domine. Concupiscence is traditionally tied to original sin, even if the two are not equated. Moreover, the Augsburg Confession explicitly ties the overcoming of original sin and its effects to baptism and the divine action of the Holy Spirit.[36] However, concupiscence was primed to be a topic of debate by the Papal Bull of 1520. Here the confutators reiterate its concern that the efficacy of baptism not be undercut.

It is not surprising that Melanchthon's Apology dwells on the question of concupiscence *(concupiscentia, bose Lust)* at several points. The most significant portion

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[34] AC II.1–2. Latin text. The reader should note that the concupiscence referred to here is *pre-baptismal*.

[35] CAC II. Latin: "Sed et ea reiicitur declaratio, qua vitium originis concupiscentiam dicunt, si ita concupiscentiam volunt esse peccatum, quod etiam post baptismum remaneat peccatum in puero. Iam pridem enim damnati sunt a sede apostolica duo articuli Martini Lutheri, secundus et tertius de peccato remanente in puero post baptismum et de fomite remorante animam ab ingressu caeli. Quod si iuxta divi Augustini sententiam vitium originis dicerent concupiscentiam, quae in baptismo peccatum esse desinat, acceptandum esset ; quandoquidem et iuxta beati Pauli sententiam *omnes filii irae nascimur,* Ephes. 2, et *in Adam omnes peccavimus*, Rom. 5." Immenkötter, 81–83.

[36] AC II.2.

of these occurs in Article II, Original Sin. There is also passing mention of the term in

Article 18, Free Will,[37] and 23, The Marriage of Priests.[38] As expected, however, the

major discussion is found in Article II, where concupiscence is considered primarily in its

relationship to original sin. While any extensive engagement with Melanchthon's

anthropology of the baptized Christian belongs in the next chapter, a few brief points are

helpful here. The question will continue to be raised between the Lutherans and Catholics

in general, and between Melanchthon and various opponents in particular, over the

following decades. The emerging dispute that begins to be visible here can be described

as a difference between understanding concupiscence to not be sin because that would be

to make baptism inoperative, and saying that "the remnants of original sin in the human

being are not in their essence neutral, but need both the grace of Christ, so that they might

not be held [against us], and also the Holy Spirit, so that they might be put to death."[39]

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[37] Here Melanchthon speaks of the difficulty in resisting concupiscence, "such that people more often obey their evil impulses than sound judgment." This use seems compatible with the intention of Trent. AAC 18:5

[38] Here, the author's clear intent is to distinguish between the natural affection leading to marriage and the lusts of the flesh. Melanchthon is making a distinction between natural affection ("illo appetitu, quem vocant στοργὴν φυσικήν, quem concupiscentia nonsustulit ex natura"; "die natürliche Neigung, die zwischen Mann und Weib auch gewesen wäre, so die Natur rein blieben wäre") and "that concupiscence which is sin" ("concupiscentia, quae peccatum est"; "der unordentlichen Brunst die da sundlich ist"). It is not directly germane to our topic, except in that the word concupiscence is present. Melanchthon does stipulate that this natural desire is "inflamed" by concupiscence (*accendit*; *noch stärker gemacht*), thus requiring an antidote (Latin text only, *remedio*). The relationship between concupiscence properly-speaking and sexual desire is certainly drawn closely in this text, which is a somewhat different question from that under consideration at present. AAC 23:13.

[39] AAC II.25. In the 1540 Worms disputation with Eck, he will further strengthen this point: "One point now remains in controversy: whether the remaining sickness in the saints be true punishment or an indifferent thing, whether truly it be something worthy of eternal death by its nature if it is not done away with. For this evil is not merely concupiscent appetite in the senses, nor merely a tinder or a quality of the body, but it is of that remaining gloom, not yet banished from the mind, which the saints have especially experienced. By which they have known doubts about of God and doubted. Nor has their will been turned toward God in complete fire of love, for even the saints have experienced pride in and love of self. Therefore an infirmity still remains in the mind and in the will and in the senses, which the saints have often lamented." "Nunc manet hoc in controversia: an morbus reliquus in sancis sit poena tantum seu adiaphoron, an vero sit res digna aeterna morte sua natura, si non condonaretur. Porro hic morbus non tantum est concupiscentia in appetitu sensitivo, nec tantum fomes seu qualitas corporis, sed reliqua est in mente nondum prorsus dispulsa caligo, ut maxime experiuntur sancti, qui agnoscunt dubitationes de Deo,

Of course, one cannot simultaneously say that concupiscence in the baptized "is

sin" and "is not sin" in the same sense. The reformers and their opponents certainly felt

themselves to be in at least partial disagreement on this point.[40] Both would say that the

baptized are to trust that God forgives their sin on account of their baptism and that it is

salvation for them. In the second article of the Apology, Melanchthon returns repeatedly

to insist that people, by their natural powers, are unable to conquer their inborn

concupiscence and that even after baptism, what remains in people is no neutral matter.[41]

Indeed, he finds these anti-God tendencies even in the saints, citing the Psalms and the

prophets.[42] He sees the scholastic engagement as minimizing the effects of original sin,

although he himself does not carefully distinguish between the situation of the baptized

and the unbaptized.[43]

This dialogue on original sin would continue over the following decades, and

receive its next major expression in the Diet of Regensburg, where the same positions

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diffidentiam. Nec ita voluntas conversa est ad Deum, ut tota ardeat dilectione; sed sancti etiam ruunt in admirationem et amorem sui. Manet igitur et in mente et in voluntate et in appetitu sensitivo infirmitas, quam toties deplorant sancti." CR IV:2131 col. 40

[40] Both the AAC and the CAC, for example, will acknowledge that there is much agreement on the doctrine of original sin, but then go on to worry about the implications of the other's manner of describing concupiscence in the baptized. The same pattern is evident in the engagements leading up to Regensburg.

[41] He lists the following as examples: "doubting the wrath of God, the grace of God, and the Word of God; being angry with the judgment of God; being indignant that God does not rescue us immediately from afflictions; grumbling that the ungodly experience more good fortune than the upright; being stirred up by rage, lust, desire for glory, wealth, and the like." AAC II.42–43. Notice however that for Melanchthon, the question is whether concupiscence is a "neutral matter" [*adiaphoron*] rather than whether its presence in itself is enough to prevent the salvation of the Christian.

[42] Ibid.

[43] So, for example, immediately after the passage cited at the end of the previous paragraph, in which he is clearly talking about the "remnants of original sin" in the baptized, he shifts to speaking of the full, unruled power of sin in the world after the fall. He does then speak of Christ's role as bearer of sins and penalties, and as "destroy[er of] the reign of the devil, sin, and death" (AAC II.50). Melanchthon seems unconcerned at this point, however, with the role of baptism in our salvation by Christ, focusing more on the necessity of helping people to understand the depths of sin from which they were saved so as to recognize "the benefits of Christ" which presumably are applied to the baptized by God's grace (Ibid.).

would continue to be examined. The Catholic insistence that baptism not be undone

continued to meet the Lutheran concern to not minimize the remaining power of sin.

The Diet of Regensburg (1541)

The Diet of Regensburg was understood, even at the time, as a last chance to

overcome the developing rift between Catholics and Lutherans.[44] It occurred at a

particularly interesting historical moment in 1541. At this point, there was still some hope

for (re)union, but the parties were much further apart than they had been at Augsburg in

1530.[45] At Augsburg the Lutherans had argued that their reform left them within the

bounds of the one, holy, catholic, and apostolic church with their opponents.[46] At

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[44] Cornelis Augustijn calls the Diet a "turning-point" during which it became clear that while both parties were seeking "*reformatio,*" the *reformatio* that they envisioned was quite different. He sees the Catholic position as being very much what the Council of Trent would shortly undertake, while the Lutherans were looking for at first, permission to continue the reforms they had undertaken, and then as a last hope during the unpromising discussions at Regensburg, "a return to the early church, the common basis of all Christians." "The Quest of *Reformatio*: The Diet of Regensburg 1541 as a Turning-Point," 64–80 in *Archive for Reformation History— Special Volume: The Reformation in Germany and Europe: Interpretations and Issues,* Hans R. Gugisberg and Gottfried G. Krodel, eds., (Heidelberg: Verein für Reformationsgeschichte, 1993), 79. See also Jedin, *History of the Council of Trent*, II: 198; and Phillip E. Pederson "The Religious Colloquy of Regensburg (Ratisbon) 1540," PhD diss., University of Chicago, 1978; 341.

[45] Pederson, 37. As he points out, conditions were both volatile and seemingly ripe for some kind of settlement. There were really three parties to disagreement in the empire, Papal, Imperial, and Protestant, each with political and theological issues. These questions are too complex for the current investigation, so the question will be carefully policed to relate to concupiscence in the Regensburg Book. The failure of the diet to produce an agreement made it unlikely that they would find peaceful settlement, and the Emperor ceased trying. Ibid., 341–42.

[46] See the language of the Preface of the AC in particular, but also the Conclusion of Part One: "As can be seen, there is nothing here that departs from the Scriptures or the catholic church, or from the Roman church, insofar as we can tell from its writers. Because this is so, those who claim that our people are to be regarded as heretics judge too harshly. The entire dissension concerns a few specific abuses, which have crept into the churches without any proper authority. Even if there were some difference in these matters, the bishops should have been so lenient as to bear with us on account of the confession we have now recounted. For even the canons are not so severe as to demand that rites should be the same everywhere, nor have the rites of all churches ever been the same. Nevertheless, the ancient rites are, for the most part, diligently observed among us. For the accusation is false that all ceremonies and ancient ordinances are abolished in our churches. Truth is, there has been a public outcry that certain abuses have become fused to the common rites. Because such abuses could not be approved with a good conscience, they have been corrected to some extent." Latin text.

Regensburg, the text to be discussed was drawn up specifically as a compromise document to be discussed by a small group of Protestant and Catholic theologians.[47] This structure makes it a tempting example of failed "consensus ecumenism," especially for authors already convinced of the failure of the JDDJ.[48] This judgment, while it underlines the importance of the Regensburg process, collapses the historical distance between 1540 and 1999 and fails to attend to the differences of genre, political situation, and ecclesiological presuppositions between the two.

There are several historical aspects of the Regensburg Diet which it will be helpful to clarify. The Diet was the culmination of a series meetings that had taken place at Hagenau and Worms over the preceding year.[49] At Regensburg, the emperor appointed six collocutors, three Roman Catholics and three Lutherans.[50] They were assigned to discuss the so-called "Regensburg Book" (LR), a document originally drafted by Gropper

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[47] Ibid., 71.

[48] Examples include Daphne Hampson, *Christian Contradictions,* 175–79; Suzanne Schulz Hequet, *The 1541 Colloquy at Regensburg: In Pursuit of Church Unity*, (Saarbrucken: Verlag Dr. Müller, 2009), 1–5, 74–77; and Irene Dingel, "The Debate Over Justification in Ecumenical Dialogue," *Lutheran Quarterly* 15 no.3 (2001): 310.

The Diet of Regensburg did not achieve the Emperor's goal of a reunited Christianity within his borders. That this is the case, however, cannot be merely blamed on theological disagreement, although such certainly existed. The Diet was first and foremost a political event, secondly, an ecclesiological one struggling with a new reality of separate, parallel magisteria, and also a forum of theological discussion. That it failed to reach a consensus is unfortunate, but we should be quite careful of drawing the historical or theological parallels too closely. To do so collapses the difference between the quite different social locations of the Roman and Protestant Christians of 1540 and 1999. While Matheson's final comment on the Diet, "the dialogue between Protestantism and Catholicism at the Diet of Regensburg in 1541 did not fail. It never took place" is an overstatement, it is not entirely wrong, especially when his distinction between Lutheran theology and the emerging Protestantism, i.e. the system of the Schmalkald League, is kept in mind. Peter Matheson, *Cardinal Contarini at Regensburg*, (Oxford: Clarendon, 1972), 181.

[49] Three meetings had originally been planned, one of Catholics only, one of Catholics and Protestants, and one Imperial to accept the solutions proposed. This pattern was somewhat disrupted by papal distrust of the emperor and the German estates and the late arrivals of delegates due to disease and inter-Catholic distrust. Pederson 41, 52–58.

[50] Johannes Eck, Johannas Gropper, and Julius Pflug (the bishop elect of Naumburg) on the Catholic side; Philip Melanchthon, Martin Bucer and Johann Pistorius on the Protestant. Cardinal Contorini was not named as a collocutor, a fact that Charles V's chancellor waved off as a scribal error, although Matheson notes that it may have been a ploy to keep the Protestant party pacified. Matheson, 93.

as a compromise document and emended at several points by the papal legate, Cardinal

Contarini.[51] The Protestants, especially Melanchthon, had hoped that the Augsburg

Confession, or Melanchthon's recently revised version, might be the basis of discussion,

but the Emperor's perception that the Protestants were determined not to deviate on any

point of the Augsburg Confession, made any text based on it a poor choice for dialogue.[52]

Finally, after the colloquy was closed, the emended articles of the Regensburg Book

along with nine Protestant counter articles were submitted to the Estates.[53] The Diet of

Regensburg continued for about two more months.[54]

More important to the present discussion than the compromise text, however, is

the response that it received at Catholic hands. This is of two parts: first, the Catholic

engagement in the Diet itself. Second, that of the Council of Trent, which was aware of

the Regensburg colloquies and whose discussion was shaped partly in response to them.[55]

Therefore, in this section, I will give a short description of the Regensburg Book's

engagement with concupiscence, before examining its reception by the Catholic

collocutors and then transitioning to the teaching of the Council of Trent.

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[51] Strangely, the book's authorship was hidden at the Diet. It was presented as having been authored by several Dutch theologians (Matheson,101). Pederson attributes the fiction to Granvelle. (71).

[52] See Augustijn, 71; Matheson, 101–102. The Emperor seems to have been well informed, as the Elector of Saxony, in an instruction dated 15. March, 1541 had admonished the collocutors to not give up on even small points of the Confession, lest the opponents, having found them "weak on one or two small points, come to believe that we can be weakened on the other points as well." "wo man in einem oder zweien Punkten weich funden, daß sie es darnach dafür halten würden, wir könnten in den andern auch wohl entweichen." *Corpus Reformatorum*, Carolus Gottlieb Bretschneider, ed, (New York: Johnson Reprint Corporation, 1963), IV: 2162. Hereafter, CR.

[53] The one section of the LK with which we will be most concerned below, Article 4, "On Original Sin" did not receive a counter-article, although there are counter articles related to the following Article 5, "On Justification."

[54] Hequet, 72.

[55] Jedin, *History of the Council of Trent,* II: 168 n. Regensburg had its largest impact on Trent through the theory of double justice, which was ultimately rejected. The influence of LR Article 4 on Original Sin, however, is noticeable.

Like at Augsburg, concupiscence appears in Regensburg Book chiefly in relationship to original sin, here Article 4. It is defined at length, mostly in terms of the teaching of St. Augustine, although with attention to the usual texts from St. Paul.[56] The Book emphasizes baptism and its effects, but it also admits that there are senses in which concupiscence should be called sin, in part based on a distinction between pardoning and erasing sins.

> Baptism, [Augustine] says, gives pardon for all sins and removes offenses, it does not erase them. … Due to this, one must carefully teach with Augustine that the law of sin and concupiscence that remains in the saints, if it bears no bad fruit, is not sin that still holds them by means of guilt. For all their guilt is destroyed by Christ. On the other hand, it must be acknowledged and taught —with like authority to Augustine's— that the apostle called this evil "sin," for it is not only brought forth by sin, but it also inclines toward sin, and it is involved in disobedience to the rule of reason.[57]

The next section of the article marshals texts in which Augustine calls concupiscence "sin," albeit in this limited way.[58] It emphasizes that concupiscence is a fruitful vine, always ready "to become actual sin in us." Therefore even the saints pray the Lord's Prayer daily, including the petition for forgiveness.[59] The article ends with a reminder that the concupiscence of the baptized differs from that found in the unbaptized, and suggests how the faithful ought to be taught to trust in the promises of Christ without

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[56] That is, Rom. 7, 14, 17, 20; Gal. 3.

[57] "…inquit, omnem dat indulgentiam peccatorum et aufert crimina, non radit. Et in hanc sententiam alia plurima sanctus ille episcopus scripsit.
 Itaque docendum est cum Augustino diligenter legem illam peccati et relictam in sanctis concupiscentiam, si ex se nullum fructum malum edit, non esse peccatum, quod adhuc eos reatu aliquo teneat. Omnis enim reatus eius per Christum sublatus est. Ceterum eodem Augustino auctore agnoscendum quoque et dtum nequest, quod apostoleccato invectum sit, sed et neque id solum quia peccato invectum sit, sed etiam quia ad peccatum inclinat et ei inest inoboedientia contra dominatum mentis. " "Das Regensburger Buch aus 1540/1541," 21–88 in *Acta Reformationis Catholicae Ecclesiam Germaniae Concernentia Saeculi XVI*, Vol 6*: 1538–1548 Part IIIb*, Georg Pfeilschifter, ed. (Regensburg: Verlag Friedrich Pustet, 1974), 28.26–29.2. Translation mine, hereafter, LR.

[58] Specifically, *Contra Julianum*, Migne, PL 44: 696, 787.

[59] LR 29.12–21. It also points to 1Jn 1:8 as evidence of our ongoing need for forgiveness.

discounting how "great the infirmity that remains" is.[60] Taken as a whole, the article

holds together trust that Christ has renewed the Christian in baptism —what we have

called attention to the "state of justification"— and the admission that throughout our

earthly lives we are not yet fully healed and thus remain on a trajectory that has not yet

reached its goal.

Several things should be noted about this article before we turn to its reception.

First, it makes a very close connection between concupiscence and original sin in the

unbaptized, although it distinguishes them carefully in the baptized. The first several

paragraphs of the article describe original sin as a lack of original justice joined to

concupiscence.[61] It seems likely that the authors saw the work of baptism as forgiving

guilt and restoring the state of being able to resist the pull of concupiscence. Second,

Jesus' intensification of the law to forbid internal attitudes, especially anger and lust

(*concupiscentia* in the Vulgate), makes the careful balancing of baptismal regeneration

and the accusation of a believer's conscience difficult.[62] The Regensburg Book's list of

"deeds" which are the fruit of concupiscence includes therefore, "thought, speech,

external act, or act of service which though due we omit."[63] Distinguishing between a

concupiscent desire and a guilty thought requires a subtle engagement, albeit one that had

received significant attention in the penitential literature.[64]

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[60] "tanta infirmitate, quae superest," LR 30.5.

[61] LR 26.25–28.

[62] Mt. 5:21–30.

[63] "sive id fiat cogitatione, sive locutione, sive externo opera, sive actus operisve debiti omissione" LR 27.4–5.

[64] The distinction that a thought was not sinful unless it received assent is common. In the Middle Ages, however, the explanations for this developed in a variety of directions. As an example, Gerson distinguishes between two wills, one of the rational and one of the sensible soul. The human being is held responsible for the working of the first, not the second if the first does not accede. See Sven Grosse,

Speaking of "the Catholic response at Regensburg," requires care. The Catholic

parties were not in agreement with each other, demonstrating a wide variety of opinions

among themselves. Some of the Catholic Estates have been called "openly Protestant" in

both the contemporary literature and at the time.[65] In addition, the papal legate Cardinal

Contarini, who had been willing to dialogue in good faith, received new instructions from

Rome in the middle of the Diet. These were to make no concessions that deviated from

the substance *or even the terminology* of the Catholic position.[66]

On the simplest of levels, it would be proper to say that the Catholic response to

the Diet of Regensburg and its book was a simple rejection. Contarini was unable to

accede to the Emperor's policy of toleration towards the Protestants until a council,

because to do so would make the doctrinal matters seem undecided. He therefore rejected

the diet's proposals, including the Book in its entirety.[67] On the other hand, we can offer

a more nuanced appraisal, especially regarding the doctrine of original sin as outlined in

the Regensburg Book. In order to do this, however, we will have to examine sources

pertaining to the discussion leading up it.[68] In particular, we can consider the exchange

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Heilungewißheit und Scrupulositas im späten Mittelalter: Studien zu Johannes Gerson und Gattungen der Frömmigkeitstheologie seiner Zeit, (Tübingen: J.C.V. Mohr, 1994), 47–48.

[65] Matheson, *Contarini at Regensburg*, 22. Pederson, 88–96.

[66] Matheson, 152.

[67] Ibid., 162. Contarini's opinion of July 12, 1541, states that as the Protestants have abandoned a number of articles of the common consensus of the Catholic Church, the only remaining option is to remit the matter to the holy see to call a general council. CR IV: 2303. The growing opinion calling for a national council among the Diet required a second intervention from the legate. In this, dated 26 July, he tells the emperor "For, as is quite clear, in a national council, no agreement is possible to determine controversies of the faith, for these concern the position of the universal church. And whatever would be determined there would be nothing, invalid, and empty." "Nam perspicuum est, in nationali concilio nullo pacto posse determinari controversias fidei, cum hoc concernat statum universalem ecclesiae. Et quicquid ibi determinaretur esset nullum., irritum, et inane." CR IV: 2340. Therefore an ecumenical council would be necessary, and this could only be called by the pope.

[68] The Diet itself, depending as it did on larger questions of church and imperial politics, did not provide substantial feedback to Article 4 of the LR from the Catholic side. There is significantly more response to individual articles from the Protestant side, see for example, CR IV:2300–2302.

between the more intractable of the collocutors, Eck and Melanchthon.[69] Finally,

however, for a unified Catholic response to the theological positions of Regensburg, we

have to look to Trent.

It should be remembered that Eck's interventions in the colloquy remain his

personal positions. They were, however, important to the negotiations, even if he did

wholly repudiate the book when it was finished.[70] Eck chose original sin as the first point

of discussion, finding the Augsburg Confession's definition to require further

clarification. He turned specifically to the question of post-baptismal concupiscence,

which he understands the Augustana and the Apology to consider "to be true, in itself,

and simply, sin."[71] The problem he poses, of course, is the efficacy of the sacrament and

God's promise to the believer, for baptismal regeneration is impossible "if the sin of

concupiscence even still [i.e. after baptism] endures in the descendants of the first-made

Adam, as is clear."[72] Athina Lexutt understands Eck to be making explicit a common

position among his peers:

> Baptism removes not only the accusation of formal original sin, but also its
> material existence. That must then, naturally, have consequences for one's
> understanding of justification, for the purified human, except for the disposition
> towards actual sin, is capable of applying his own powers towards his salvation.[73]

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[69] In this colloquy, particularly regarding justification, but also throughout the discussion, Melanchthon and Eck played the role of hard-liners, rejecting attempts at negotiation through compromise. The other collocutors, several of whom had possibly played a role in producing the original LR, were more conciliatory. Pederson, 161–67.

[70] CR IV: 2291. He writes, "It neither pleased, nor does it please, nor will it please, that stupid book of yours, in which so many errors and faults can be discerned; therefore I judge, and I will always judge, that it should not be received by the Catholics, that derelict, so to speak, of the church and Fr. Melanchthon." Translation mine.

[71] CR IV: 2132, column 35. "esse vere, per se et simpliciter peccatum."

[72] CR IV: 2132, column 36. "Quod non fieret [the regeneration of the soul in baptism],si permaneret peccatum adhuc a protoplasto Adam descendens, concupiscentiae scilicet."

[73] Athina Lexutt, *Rechtfertigung im Gespräch: das Rechtfertigungsverständnis in den Religionsgesprächen von Hagenau, Worms, und Regensburg 1540–41*, (Göttingen: Vandenhoeck &

While it is possible that this is Eck's intention in this document, it is not the necessary implication that Lexutt makes it out to be, for reasons important to the present project. The blend SIN is particularly central; Lexutt's understanding of Eck rests on the blend SIN IS ANYTHING CONTRARY TO GOD'S LAW, rather than SIN IS CAUSE FOR SEPARATION FROM GOD. Eck's logic, however, clearly implies the latter, because he makes the point to safeguard the possibility that baptism actually unites the Christian with God. Lexutt collapses the (potential) eschatological tension in Eck's concern, leaving precisely the Pelagian situation the reformers feared. This is demonstrated by her quick dismissal of the "disposition toward actual sin," which Catholics, including Eck, would understand to mean the concupiscence of the baptized. This disposition is not to be lightly dismissed even if it does not of itself merit God's damnation, for it can be a powerful and constant temptation to the actual sin that does separate from God. Because the power of God's grace given in baptism is the source of renewed human life, that grace is also the condition of possibility for any human striving.[74] For Eck, the avoidance of real sin does

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Ruprecht, 1996), 220. "Die Taufe hebt nicht nur die Anklage der formalin Erbünde auf, sondern auch ihre material Existenz. Das muß dann natürlich Folgen haben für das Rechtfertigungsverständis, denn ein bis auf die Neigung zur Tatsünde gereingter Mensch vermag seine Kräfte für sein Heil einzusetzen."

[74] See Michael Root, "Aquinas, Merit, and Reformation Theology after the *Joint Declaration on the Doctrine of Justification*," *Modern Theology* 20 no. 1 (2004), 6–22. As Root argues, the Catholic position rests on the possibility of a "double agency" in which "an action can be ascribed both to the human agent and to God acting within the human action. This double agency is not a cooperation where two agents each do part; rather, God is at work moving human action. God (and God alone) can move the human person in this way without violating that person's freedom, for as Creator and Preserver God's relation to the person is, so to speak, an internal one" (12).

A further issue, which because it is not as central to our consideration, I will limit to this footnote, is Lexutt's use of the words "formal" and "material." Her point seems to rest on an understanding of material that is more like the contemporary "stuff," or what we would mean by "actual" than the Aristotelian *materia*. A *materia* without form is not a thing, but only a potentiality. Thus concupiscence, the *materia* of sin, can remain without being truly sin. Lexutt is suggesting that for Eck it must be removed "in its material existence," to rid the human of damnable sin. It is possible that it is not her intent to invoke Aristotelian categories, but in that case opposing "form" and "matter" is an unfortunate choice, although they are present in the debate itself. See also Vinzenz Pfnür, "Simul iustus et peccator – Gerecht und Sünder zugleich: Hintergrund bei Luther und in der katholischen Kontroverstheologie Abklärung der Kontroverse im amicum colloquium zwischen Eck und Melanchthon Augsburg 1530 und Worms 1541,"

not earn salvation; rather, refusing God's gift and committing actual sin loses it. As the final text of the Regensburg Book makes clear, this cannot mean that the Christian is to boast of herself, for in the body she must continually fight, and "must persevere in continual repentance and prayer for pardon."[75] Nor, however, should the Christian despair of her salvation, for the grace of baptism is greater than sin, and God sent the Son so that she might be made wholly, finally just in "the full victory [of] the future age."[76]

The Tridentine Decree on Original Sin

Concupiscence is most definitively dealt with in the Tridentine session devoted to original sin, (Session V, June 17, 1546). Three questions were proposed by the legates to guide the council's deliberations. These were intended to make the council's teaching "accessible to bishops," to prevent the conciliar debate from merely rehashing the scholastic controversies on the definition of original sin, and to clarify the difference between the Roman and Protestant doctrines of original sin.[77] This structure produced a text descriptive of original sin's effects instead of providing a definition. It also focused

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227–251 in in *Gerecht und Sünder zugleich? Ökumenische Klärungen*, eds., Theodor Schneider and Gunther Wenz, (Freiburg im Breisgau: Herder, 2001), 237.

[75] "in iugi poenitantia et precatione veniae perseverant" LR 30:7–8.

[76] "ad plenam victoriam in futuro saeculo" LR 30:15.

[77] Hubert Jedin, *A History of the Council of Trent*, Ernest Graf, OSB, trans., (New York: Thomas Nelson and Sons Ltd., 1961), II: 134. The three questions proposed follow (*Ibid.*).

(1) To what testimonies of the Scriptures and the apostolic traditions do the Fathers, the Councils and the Apostolic See appeal against those who deny original sin? From what principle do they derive this doctrine? Who are they who contract this sin, and in what way?

(2) In accordance with the precedent established by the ancient Councils, the nature of original sin, unlike other sins, must be determined not by definition but by a description of its effects.

(3) How is man freed from original sin? Is the effect of salvation complete or do certain traces (vestigia) remain? And if so, what is their effect?

discussion on rooting out the difference between the council's doctrine and that of the

Reformers rather than on seeking conciliation.

The conciliar decree was strongly tested by interventions from Girolamo

Seripando, the reforming Prior General of the Augustinian Hermits.[78] While

understanding himself to disagree with Luther, Seripando argued strongly for allowing

preachers to call concupiscence in the baptized "sin" because it is displeasing to God.[79]

He understood his teaching to be distinguished from Luther because of his firm defense

of the proposition that concupiscence in the baptized did not render them liable to

damnation.[80] Interestingly, along with several others, he argued that baptism is made

effective in faith, a position not far distant from Luther's emphasis that *fides sacramenti*

(faith in the sacrament) is more central to justification than the *sacramentum fidei* (the

sacrament of faith, i.e. baptism) itself.[81] Seripando did finally render a *placet* to the

decree as it was passed.[82]

In its final form, the conciliar decree holds that original sin is from Adam and

inherited; that it is present in all humans except Jesus and Mary from birth;[83] and that its

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[78] Hieronymus Seripandus, "De concupiscentia" (May 24, 1546), XII:549–553 in *Concilii Tridentini Tractatum, Pars Prior*, Vincentius Schweitzer, ed., (Freiburg: Herder, 1966).

[79] Ibid., 553.5-7. As Peter Walter points out, Seripando did argue that God still hates this remaining concupiscence in the baptized, because it is the reason for actual sins that God hates. Idem., "Die Bleibende Sündigkeit der Getauften beim Trienter Konzil," 268–302 in Schneider and Wenz, 278.

[80] He makes the point repeatedly, although in this *votum*, he does not mention Luther directly. This is also the concern of the third rejected proposition in ED.

[81] Seripando, "De peccato originali," (May 24, 1546), 542–549 in *Concilii Tridentini Tractatum, Pars Prior*, Vincentius Schweitzer, ed. (Freiburg: Herder, 1966), XII:547–48.

[82] Jedin, II:161–62.

[83] Trent is deliberately cagey on the mechanism of this exception, in an attempt to sidestep the ongoing debate over the Immaculate Conception. Instead, it declares only its intention to not speak of the Blessed Virgin Mary in its decree, and reaffirms the "constitutions of Pope Sixtus IV" (that is, *Cum praeexcelsa*, (Feb 27. 1477), DH 1400; and *Grave nimis*, (Sept. 4, 1483), DH 1425). These careful documents assert that the church must invite the faithful to praise of God for the "wonderful conception of the immaculate Virgin" (de ipsius immaculatae Virginis mira conceptione, DH 1400), and anathematize

guilt and penalty are removed by baptism, leaving behind physical death and an

inclination to sin called "concupiscence."[84] This concupiscence cannot be properly called

sin because of its effects on the baptized:[85]

> But this holy council perceives and confesses (*fatetur et sentit*) that in the one
> baptized there remains concupiscence or an inclination to sin, which, since it is
> left for us to wrestle with, cannot injure those who do not acquiesce but resist
> manfully by the grace of Jesus Christ.…This concupiscence, which the apostle
> sometimes calls sin, the holy council declares the Catholic Church has never
> understood to be called sin in the sense that it is truly and properly sin in those
> born again, but in the sense that it is of sin and inclines to sin.[86]

Here, concupiscence is a description of the remaining anti-divine powers at work within

the Christian. This remaining concupiscence is not, properly-speaking, sin because it does

not of itself deserve God's judgment.[87] Unlike in the Augsburg Confession, this

concupiscence is clearly distinguished from that in the unbaptized, and is so

differentiated from original sin. It is this understanding of concupiscence which is taken

up in the Catholic sections of the JDDJ, as made clear by the direct quotation of this

canon in §30.

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anyone who preaches either that the Immaculate Conception itself is a heresy or that its denial is a heresy, "since the matter has not yet been decided by the Roman Church and the Apostolic See" (cum nondum sit a Romana Ecclesia et Apostolica Sede decisum, DH 1425).

[84] Ibid., II:135.

[85] Notice that the emphasis on the *effects* of original sin is a direct response to the second of the charges to the council in drafting this decree. See n. 77 above.

[86] Council of Trent Session V. June 17, 1546. Canon 5. DH 1515. "Manere autem in baptizatis concupiscentiam vel fomitem, haec sancta Synodus fatetur et sentit; quae cum ad agonem relicta sit, nocere no consentientibus et viriliter per Christi Iesu gratiam repugnantibus non valet. Quin immo 'qui legitime certaverit, coronabitur' [2 Tim 2:5]. Hanc concupiscentiam, quam aliquando Apostolus 'peccatum' [cf. Rm 6:12–15; 7:7, 14–20] appellat, sancta Synodus declarant, Ecclesiam catholicam numquam intellexisse, peccatum appellari, quod vere et proprie in renatis peccatum sit, sed quia ex peccator est et ad peccatum inclinat.*"* English translation above from Tanner, II:667.

[87] That this definition emphasizes the efficacy of baptism, perhaps to the detriment of a real attention to "human fragility" is a standing critique that need not undercut the council's teaching. It may however benefit from adding attention to this fragility, which engagement with the Lutheran position can provide. See Walter, "Die Bleibende Sündigkeit," 302.

The Catholic Eschatological Vision: Outlining the Blends

It is now possible to clarify the metaphoric blends upon which the Roman Catholic position is dependent. As has been highlighted above, two important and related commitments were continually emphasized in the Papal Bull *Exsurge Domine*, by Roman Catholic theologians at that time, and at the Council of Trent. The first of these is, that baptism truly cleanses the Christian of sin for

> God hates nothing in the reborn because there is no condemnation for those who are truly buried with Christ by baptism into death, *who do not walk according to the flesh* but, putting off the old person and putting on the new person created according to God, *heirs indeed of God and fellow heirs with Christ,* so that nothing at all impedes their entrance into heaven.[88]

The second, an implication of the first, is that post-baptismal concupiscence, which, while "the tinder of sin" and is called sin by the apostle "because it comes from sin and inclines to sin" cannot be called sin "in the true and proper sense in those who have been reborn."[89]

These positions, in turn, depend on a habitual blend for "sin" which has so far been called SIN IS CAUSE FOR SEPARATION FROM GOD and can now be made more specific: SIN IS AN IMPURITY WARRANTING DISINHERITANCE. This in turn depends on the logic of baptismal regeneration as a controlling frame. In this section, I will describe and depict the blend, connecting it to the Catholic vision that has been described, and showing how it continues to be operative in the documents of the contemporary dialogue

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[88] Council of Trent Session V. June 17, 1546. Canon 5. DH 1515. "In renatis enim nihil odit Deus, quia 'nihil est damnationis iis' [Rm 8 :1], qui vere 'consepulti sunt cum Christo per baptisma in mortem' [Rm 6:4], qui 'non secundum carnem ambulant' [Rm 8:1], sed veterem hominem exuentes et novum, qui secundum Deum creatus est, induentes [cf. Eph 4:22–24; Col 3:9s], innocentes, immaculati, puri, innoxii ac Deo dilecti filii effecti sunt, 'heredes quidem Dei, coheredes autem Christi' [Rm 8:17], ita ut nihil prorsus eos ab ingressu caeli remoretur." Translation Tanner II:667. Emphasis original.

[89] Ibid.

before the JDDJ. In the following section, I will show how these habitual metaphoric

understandings require the Catholic position as articulated in section §4.4 and how they

predict the places where Catholic readers asked if the correlative Lutheran position might

be contradictory. I will then show how the JDDJ's final agreement, including the Annex,

demonstrates a real consensus that is compatible with the Catholic vision.

SIN IS AN IMPURITY WARRANTING DISINHERITANCE

The overwhelming concern evidenced by the sixteenth-century Catholic sources

examined here is that if post-baptismal concupiscence is called "sin," this would mean

that the Christian would remain separated from God, and would not be saved. How then,

is sin understood in the Roman Catholic engagements with post-baptismal

concupiscence? To begin, sin is something deserving separation from God. This also

means the loss of heaven, as heaven is the state of union with God. To clarify what this

means, we can attend to several other aspects of the blend, SIN, before returning to map

the original expression.

For Roman Catholic authors, actual sin is a more central example of the category

SIN than is original sin.[90] Categories do not operate as entirely equal collections of the

items fulfilling a set of necessary requirements, as we often assume. Instead, we construct

categories in terms of central examples and include items based on their similarity to the

collection of examples assembled. Thus, for example, apples and oranges regularly test as

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[90] Small caps, as will be remembered, denote a metaphor or a blend.

more central examples of the category "fruit" than do bananas or kiwis.[91] Tomatoes represent a borderline case which we include in some settings and not in others. Attending to the relative centrality of examples can help us to understand what it is that we intuitively attend to in constructing the category and still allow the inclusion of less-central examples.[92] To say that actual sin is more central allows us to explain why Roman Catholic authors can put such an emphasis on the role of the will in sin without ruling that original sin is not truly sin.

In particular, Adam's (and Eve's) sin is *the* central and defining example of the category. In the Gen 3 narrative, they know what they do to be wrong. Nevertheless, desiring to be like God and tempted by the goodness of the fruit, they make their choice and sin. This primordial sin generates original sin as both the lack of original justice and the burden of unruled concupiscence.[93] The category of sin is ordered by the story of the fall not only theologically, but scripturally and liturgically; we rarely speak of sin, or of Christ's redemption, without somehow mentioning the central sin requiring redemption that gives order to the story, the *felix culpa* of Adam and Eve. This is especially clear in the canons of Trent with which we have been concerned, for they are entirely ordered by the story of Adam as it proceeds to Christ, then to the post-baptismal lives of Christians. The only canon that does not fit this pattern is the sixth, which merely exempts Mary from the considerations of the council.

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[91] At least in the United States. Often such categorical centrality is tested by seeing how long it takes subjects to sort particular objects into the proper category. A longer time is evidence of more complex processing, and therefore a more peripheral example. See Kövesces, *Language, Mind, and Culture*, 25–26.

[92] See Lakoff, *Women, Fire, and Dangerous Things*, 17–57.

[93] See Trent V can 2, DH 1512. Note how these are directly related to each other. Original justice is precisely the faculty that rules and orders the various desires of the human, and its removal allows them to be "disordered" or "unruled" desires or concupiscences.

Because of the importance of Adam's sin and the centrality of actual sin which derives from it, the blend SIN is closely linked to action. I am convinced by Gary Anderson's work on sin, which traces the shift within the biblical text from the blend SIN IS A BURDEN to SIN IS A DEBT, and then follows the further trajectory of that metaphor into Syriac, Greek, and Latin Christianity.[94] If we were to begin with a mapping of this metaphor, we would have something like this (Fig IV-1):
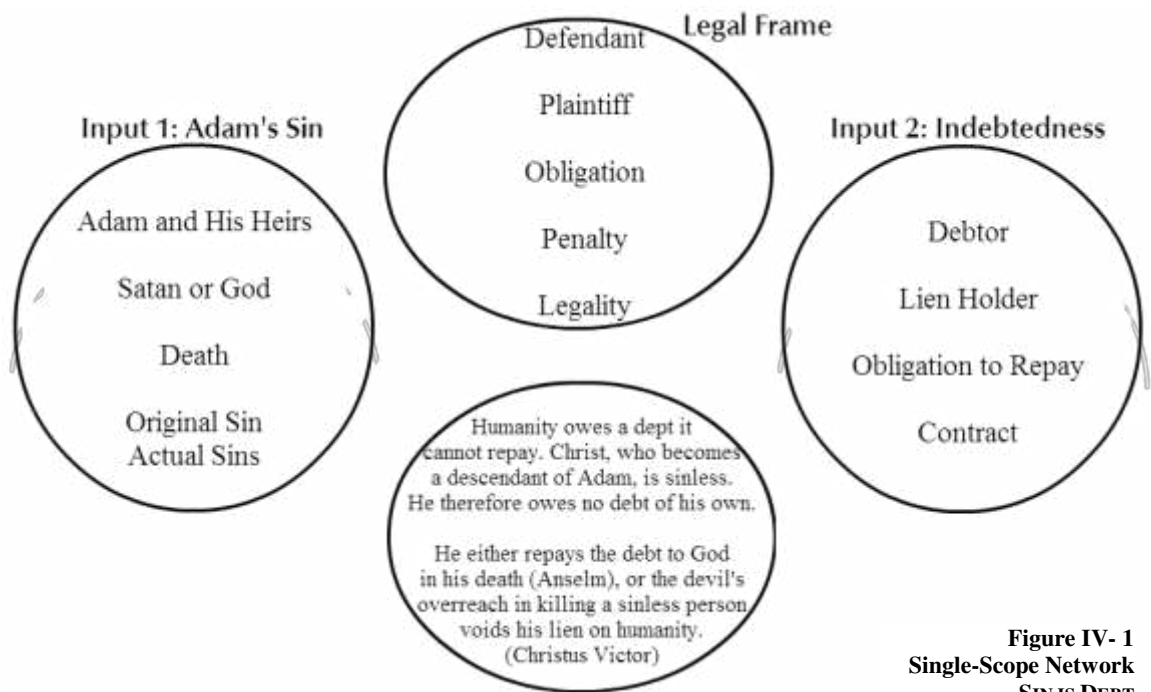
Figure IV- 1
Single-Scope Network
SIN IS DEBT

Because it is a single-scope blend, the frame of one input —in this case, the legal frame that comes with indebtedness— determines the frame of the blend. Humanity owes a debt to God or Satan, which is either repaid (to God) by Christ who has no debt of his own, or

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[94] Gary Anderson, *Sin*: *A History*, (New Haven: Yale University Press, 2009)111–132; 189–202.

it is cancelled because the devil's overreach means he loses the legal right to collect.[95]

This basic pattern is shared across Christian engagement with sin. It does little, therefore, to shed light on the differences regarding post-baptismal concupiscence that are at the center of the present investigation. In order to do this, the particular blends at stake in the documents under discussion must be described.

The group of descriptors found in that canon of the Council of Trent which has recurred in this investigation, i.e. canon five of the fifth session, will allow us to make this general Christian understanding of sin more specific, and thus, more helpful. Describing the state of the newly baptized, the council writes that they "become innocent, stainless, pure, blameless and beloved children of God, heirs indeed of God and fellow heirs with Christ, so that nothing at all impedes their entrance into heaven."[96] There are two classical Christian metaphors used here leading to one major implication. Each of these will be engaged in turn and then connected to our complex blend, SIN. The first set of descriptors are based on the metaphor SIN IS A STAIN/IMPURITY,[97] the second on CHRISTIANS ARE CHILDREN/HEIRS OF GOD, together, these imply SIN IS CAUSE FOR DISINHERITANCE. The theological implication drawn from this metaphoric complex is that in baptism God makes Christians clean and [worthy] heirs of God, so that they may enter heaven.

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[95] After correctly noting that theories of the atonement did not receive the careful theological definition that the councils thought necessary in the areas of the Trinity and Christology, Anderson traces out two Syriac Christian explanations, as found in homilies of Narsai, a theologian of the Church of the East (d.503), and Jacob of Serug, from the Syrian Orthodox Church of the West. The first could be called a central example of a the Christus Victor theories, the second such an example of Christ as wealthy benefactor repaying for another. *Sin*, 121–130.

[96] DH 1515, trans. Turner, II:667.

[97] It is possible that the Council's extensive effort aimed at avoiding the question of the Immaculate Conception itself reinforced the tendency towards the metaphoric frame of stain (*macula*).

Stated negatively, there are two related metaphors at work: SIN IS IMPURITY and DAMNATION IS DISINHERITANCE. Each of these is a single-scope blend much like SIN IS DEBT. In each case, the controlling frames CLEANLINESS and FAMILY INHERITANCE control what can be said about the other term without itself being reinterpreted. The resulting complex network makes sin to be an inhering imperfection which is, in any amount, just cause for damnation.[98] It might look as follows (Fig. IV-2):
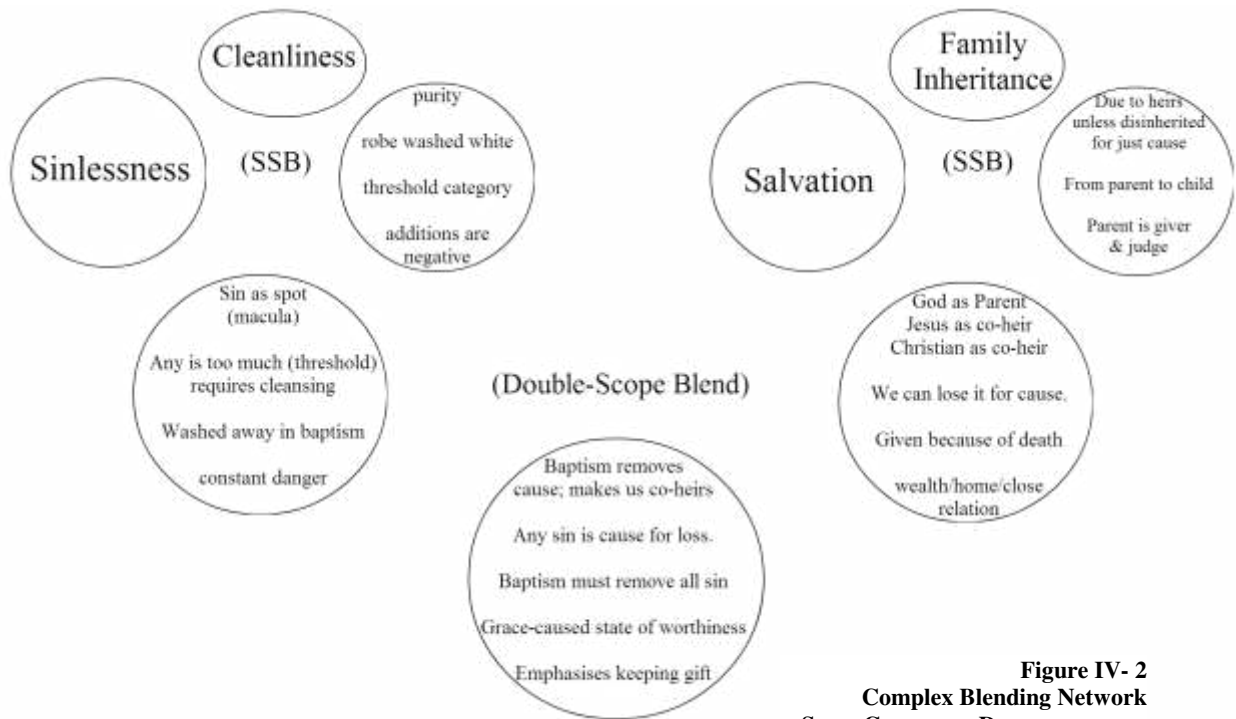
Figure IV- 2
Complex Blending Network
SIN IS CAUSE FOR DISINHERITANCE

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[98] As Susan K. Wood notes, Catholics emphasize transformative language for justification, meaning that "this is an instance where Lutherans tend to use both/and language and Catholics either/or language." This difference, as she points out, leads to an equivocation on the word sin, which is precisely what the present project is attempting to clarify. "Observations on Official Catholic Response to Joint Declaration," *Pro Ecclesia* 7, no. 4 (1998), 422.

Because sin is cause for disinheritance, mortal sin is the most proper (or most central example of) sin. This is something quite different from what the Lutherans mean by sin, as will become clear.[99] Moreover, the image of a spot sets up particularly Roman modes of thought, including a tendency towards cyclical patterns of cleansing and sin and towards conceiving of sin as truly separate from oneself.

Baptism as Controlling Sacramental Frame

At this point, it will be helpful to make explicit something related to the blend SIN. In addition to the frame provided by the story of Adam's fall, and sin as spot, it should be made explicit that baptism provides the primary sacramental frame for understanding this blend. It should not be surprising to find the Christian ritual bath figuring so prominently in a blend based on the frame of CLEANLINESS.[100] Other aspects of the frame, however, are worth pointing out, as they will determine many things which can be said about the removal of sin in the Christian. To begin, baptism is a non-repeatable sacrament. The Christian churches have, from very early on, not baptized people again if they fell back

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[99] "In the most proper sense sin is the first, mortal or deadly sin, which in itself alienates a person from God so as to result in damnation. This is where Catholics speak of being in a 'state of sin' which is incompatible with justification." Ibid. Venial sins, therefore, are also not central examples of the category sin, because they neither separate from God nor require the same kind of sacramental response that mortal sins do. As Stephen J. Duffy notes, even the distinction between mortal and venial sins presupposes that in a state of grace "integral personal development is a fragile business." Divine grace leads to healing, but this healing is gradual, and "the work of elevation is in principle complete, but healing takes a lifetime." This is not entirely dissimilar from Luther's description of healing and justification, as will be clear in the next chapter. *The Dynamics of Grace: Perspectives in Theological Anthropology*, (Collegeville: Liturgical Press, 1993), 154. David Yeago makes a similar point, in more traditionally Lutheran language, "Interpreting the Roman Response," 407.

[100] *Lehrverurteilungen–Kirchentrennend?* makes the point that the logic of baptism is central in Roman Catholic thought, while that of the confessional is more apt to the Lutheran. LK - *Rechtfertigung* II.1; 45–46.

into mortal sin. The classic text on this topic is, of course, the final article of the Nicene creed, with its confession of "one baptism for the forgiveness of sins."[101]

Several implications derive from this character of the sacrament. It makes it likely that more weight will be given to justification as a *state*, for all the emphasis on character imparted by the sacrament implies a state of being justified.[102] It also emphasizes divine action and therefore describes human action relating to salvation as being in a merely conservatory role.[103] Moreover, baptism is historically called the *sacramentum fidei*, language that we have seen is tied to justification as a state. As we have repeatedly seen, attending primarily to the validity and real action of this sacrament has been closely associated with the Catholic insistence that concupiscence cannot be sin properly-speaking, because if it were, the state of being made just would never exist in human experience.

Finally, this blend for SIN and its controlling frame BAPTISM leads to a further differentiation regarding concupiscence as it is reflexively understood by Catholics and Lutherans. Because sin is conceptualized by Catholics in terms of a stain or an impurity, both actual sins and concupiscence in the baptized are imaged in terms of SOME-THING IN the Christian. This has consequences for the understanding of the Christian's anthropology, for if sins are something in oneself that is somehow separate from ones' own being, they can be more easily categorized as being blameworthy or not, that is, as

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[101] Even with the rise of tariff penance, baptism remains the central metaphor, as it is described as a return to baptism, or even the return to the baptismal state. See, for a modern example, CCC 1425–26.

[102] See Dogmatic Constitution on the Church, *Lumen gentium*, (Nov 21, 1964), §11; Tanner II:857.

[103] Consider the following as examples, taken from the explanatory rites of baptism. "You have become a new creation and have clothed yourself in Christ. Receive this baptismal garment and bring it unstained to the judgment seat of our Lord Jesus Christ, so that you may have everlasting life." (RCIA §229) "You have been enlightened by Christ. Walk always as a child of the light and keep the flame of faith alive in your heart." (RCIA §361)

something deserving disinheritance or not. The traditional question of whether the person

has consented to the thought or deliberately encouraged it demonstrates this separation

between the person and their inner experience.[104] If we were to map this implication of

the Catholic blend, it might look something like this (Fig. IV-3):
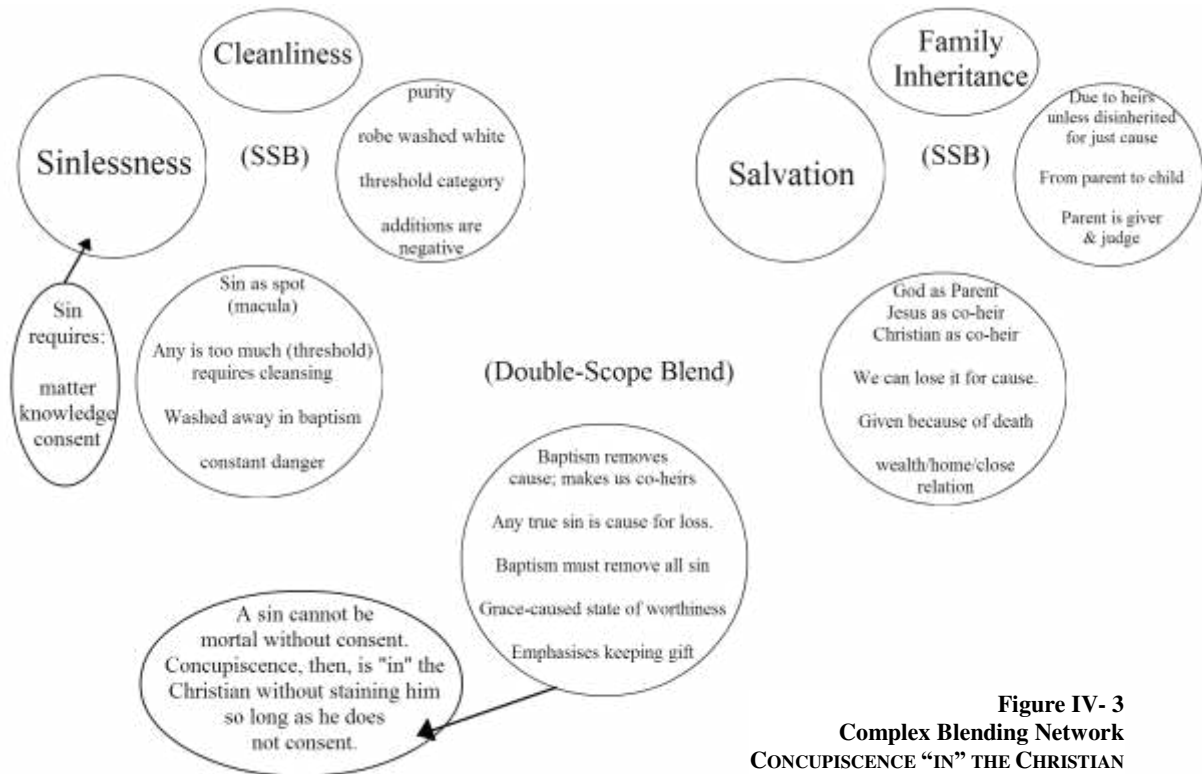
Figure IV- 3
Complex Blending Network
CONCUPISCENCE "IN" THE CHRISTIAN

As will become clear in the next chapter, this is differentiated from a Lutheran tendency

to interpret this internal experience as a reality properly belonging to the inner life of the

person, something which will not be present in their final redeemed state, and is thus a

part of their sinful, or in Paul's language, fleshly, reality.[105]

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[104] Of course, this language is exactly that of Trent. DH 1515; Tanner II:667.14–15.

[105] See LK *Rechtfertigung* II; 44–45.

An Eschatological Double-Vision: STATE and TRAJECTORY

Given this complex blend for sin, the Christian life can be imagined as a kind of mirror

network in which the human is "in Adam" or "in Christ."[106] Baptism makes one "in

Christ," but the state can be lost through actual sin. This could be a recipe for a cyclical

works-righteousness, as the Lutherans feared. It could also lose sight of the church's call

to "embrace sinners in its bosom."[107] It is saved from both of these tendencies by two

things. First, the entirety of salvation is rooted in and remains dependent on God's

grace.[108] Even this could become, as Robert Jenson has worried, a mere "anti-Pelagian

codicil" by which theologians attempt to save a Pelagian mode of thought by insisting

that such is not their intended outcome.[109] It is prevented from this fate by a second

aspect of the Tridentine teaching, what I have been calling its "double-vision." The

Tridentine decree does not merely say that concupiscence is not sin and that humans must

remain in the state of grace until death. It holds this static understanding together in a

kind of double-scope blend, what Robert Masson calls a tectonic blend, with an

understanding of the as-yet-unfulfilled, eschatological aspects of justification. In this

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[106] Because these are found within the same frame and constitute exclusive options to each other, they could be said to constitute a mirror network.

[107] *Lumen gentium*, §8. DH 4121. "Ecclesia in proprio sinu peccatores complectens…"

[108] *Justification by Faith* §109; JDDJ §15, §§19–20; Annex §2E.

[109] Eric W. Gritch and Robert W. Jenson, *Lutheranism*: *The Theological Movement and its Confessional Writings*, (Minneapolis: Fortress Press, 1976), 39. The idea has gained a significant place in Lutheran worries about Catholic thought. Examples include Gerhard O. Forde*, A More Radical Gospel*: *Essays on Eschatology, Authority, Atonement, and Ecumenism*, Mark C. Mattes and Steven D. Paulson, eds., (Grand Rapids: Eerdmans, 2004), 125, 130; Steven D. Paulson, "The Augustinian Imperfection: Faith, Christ, and Imputation and Its Role in the Ecumenical Discussion of Justification," 104–24 in *The Gospel of Justification in Christ: Where does the Church Stand Today*, Wayne Stumme, ed., (Grand Rapids: Eerdmans, 2006), 111. Interestingly, Joseph Burgess and Jeffrey Gros diagnose a parallel worry among some Catholics about an "anti-Manichaean or Anti-Antinomian codicil in certain formulations of Lutheran Orthodoxy" *Building Unity Ecumenical Dialogues with Roman Catholic Participation in the United States,* (New York: Paulist, 1989), 190.

second manner of thought, justification is a trajectory that has not yet reached its

completion.[110] Concupiscence is prime evidence that this is the case, which is why the

council "perceives and confesses" that this concupiscence, no longer a bar to salvation, is

still present in the believer now in a way which it will not be in God's final victory.

In addition to the council's engagement with concupiscence, there are other

reasons to believe that it understood justification as a state and also as a trajectory.

Among these, we might consider chapter ten of the sixth session, in which justification,

or more properly justice, somewhat unusually, is said to increase.

> So those justified in this way and made friends and members of the household of
> God, going *from strength to strength*, are (as the Apostle says) renewed from day
> to day by putting to death what is earthly in themselves and yielding themselves
> as instruments of righteousness for sanctification by observance of the
> commandments of God and of the church. They grow and increase in that very
> justness they have received through the grace of Christ, by faith united to good
> works, as it is written: *Let him who is holy become more holy*; and again, *Do not
> wait until death to be justified;* again, *you see that a person is justified by works
> and not by faith alone*. Indeed, holy church asks for this increase in justice when it
> prays, *Lord, give us an increase in faith, hope, and charity.*[111]

The Christian in this life is herself an eschatological reality. When viewed as a person in

time, her relationship to God can change, as do all relationships, because she remains

capable of bowing to concupiscence, to acquiring debt or stain, and to losing her

inheritance. But viewed in terms of the already-present kingdom of which baptism makes

her an heir, her justification is God's doing, and she already participates in its final reality

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[110] In this, it may be considered a "growth" category, in Root's schema (see chapter two, p. 91),
but I am arguing for something more than this. It is not merely that the human is just in God's eyes and
becoming more just, (thus deepening in an non-scalar reality). Instead, the human being is at the same time
participating in God's final justice (as the formal cause of his justification), but experiencing his own life as
not fully embodying that end. A person is thus himself or herself an eschatological reality which requires a
double-vision (of the world as it is and as it will be) to adequately describe.

[111] DH 1535; trans. Tanner, II: 675. While the chapter itself speaks of an increase in justice, the
title describes an increase in justification, "*De acceptae iustificationis incremento*." The relevant canon also
speaks of an increase in justice. DH 1574; Translation Tanner II:680.35–37. Emphasis original.

which will grow until she finally bears the form which God desires for her. Trent describes this in terms of the formal cause of justification, which it describes as

> the justness of God: not that by which he himself is just, but that by which he makes us just and endowed with which we are renewed in the spirit of our mind, and are not merely considered to be just but we are truly named and are just, each one of us receiving individually his own justness according to the measure which the holy Spirit apportions to each one as he wills, and in view of each one's dispositions and co-operation.[112]

Because this is a *formal* cause, it is the end-point of the transformation God works in human beings, that is, their own justice that God desires for them. It is an eschatological endpoint, already present in the believer as the formal cause of that which they will become but are not yet.

These two understandings of justification cannot be held together simply, for they make some contradictory claims. However, as argued in the previous chapter, the integration of terms in tension is an important aspect of human cognition, which we can describe via double-scope blends, or what Masson has called tectonic integration. If we were to depict the double-scope blend by which JUSTIFICATION IS A STATE and JUSTIFICATION IS A TRAJECTORY were held in tension, it might look something like this, although this is only a beginning of the implications of the blend (Fig. IV-4):

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[112] Trent Session 6, Chapter 7, which 1529, Tanner II:673. This section will be important again below in considering the critique of the JDDJ offered by Christopher Malloy.
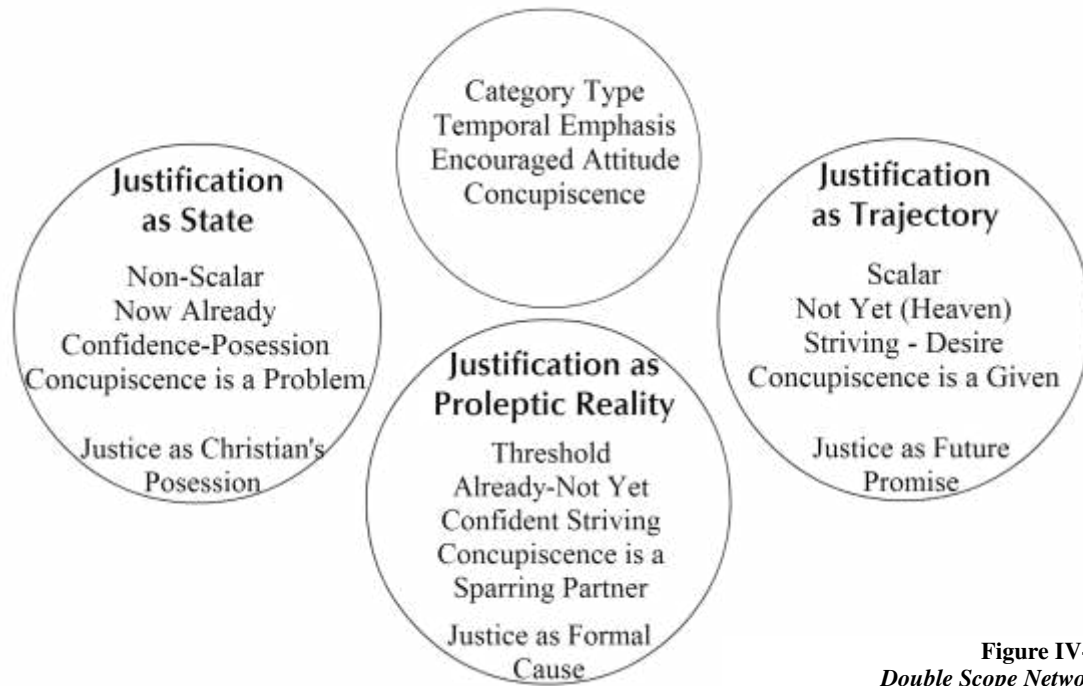
Figure IV- 4
Double Scope Network
Justification as Proleptic Reality

Concupiscence in the JDDJ

Having made more explicit the complex understanding of sin which underlies the Catholic insistence that post-baptismal concupiscence can only be called sin improperly, I will now examine how concupiscence is dealt with in the JDDJ, how the Catholic and Lutheran positions are held in a productive tension, and whether the consensus is adequate to the Catholic vision. The word "concupiscence" appears in the JDDJ six times.[113] It appeared briefly in JDDJ I (§26),[114] received minor development in JDDJ II

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[113]One occurance in JDDJ §30, five in the Appendix, Resources for 4.4. In the German, it occurs five times as *Konkupiszenz*: one in §30, four in Anhang, Quellen zu 4.4. The other use appears in the German as *Begierde.* This term also appears in §12 of the JDDJ, and is translated "desires" in the English version (i.e. "the justified are assailed from within and without by powers and desires"). "Desire" in the sense of concupiscence (that is, "the selfish desires of the old Adam") also appears in §28. In the German, this is rendered "des selbstsüchtigen Begehrens des alten Menschen." *Begehren* appears in the document only this once.

[114] JDDJ I §26 (Geneva, 1995), obtained from the ELAC Archives, Elk Grove, IL. "In terms of content, there is agreement with Lutherans when Catholics say that 'concupiscence,' which remains after baptism [as an inclination to be contrary to God, affects the whole human being,] is in contradiction to God and is the object of a lifelong struggle. And yet concupiscence no longer separates the justified from God. Properly speaking, it therefore is not [in that sense] sin." The German is available in GER-DER, A.3. The additions in brackets are present in a text of the document labeled "revised 21.9.94" and found in the ELAC

($30)[115] and a much more substantial paragraph in (the final) JDDJ III ($30). The pertinent final text reads as follows:

> Catholics hold that the grace of Jesus Christ imparted in baptism takes away all that is sin "in the proper sense" and that is "worthy of damnation" (*Rom* 8:1). There does, however, remain in the person an inclination (concupiscence) which comes from sin and presses toward sin. Since, according to Catholic conviction, human sins always involve a personal element and since this element is lacking in this inclination, Catholics do not see this inclination as sin in an authentic sense. They do not thereby deny that this inclination does not correspond to God's original design for humanity and that it is objectively in contradiction to God and remains one's enemy in lifelong struggle. Grateful for deliverance by Christ, they underscore that this inclination in contradiction to God does not merit the punishment of eternal death and does not separate the justified person from God. But when individuals voluntarily separate themselves from God, it is not enough to return to observing the commandments, for they must receive pardon and peace in the Sacrament of Reconciliation through the word of forgiveness imparted to them in virtue of God's reconciling work in Christ. ($30)[116]

The positions here expressed should, at this point, be quite familiar to the reader, for they are the concerns of Trent, the histories of which have been traced out in detail. Concupiscence is not properly sin because it is not "worthy of damnation" in itself. It is

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archives of the Lutheran/Roman Catholic Coordinating Committee. The first bracketed text seems to have been removed on the advice of Harding Meyer, noted in a German edition labelled "von Meyer redaktionell überarbeitete Fassung. 8. Okt. 1994," available in the same archival collection.

[115] JDDJ II §30 (Geneva, 1996), ELCA Archives. "Catholics hold that concupiscence remaining after baptism is contrary to God's original plan for humankind. This inclination, which comes from sin and presses toward sin, is however not 'sin' in the proper sense, for it is not a morally wrong, free decision, nor is it a condition or inclination that merits the punishment of eternal death. They say that concupiscence is in contradiction to God and is the object of a lifelong struggle. It does not separate the justified from God." The German is available in GER-DER, B.1.

[116] JDDJ (§30), in German: "Die Katholiken sind der Auffassung, daß die Gnade Jesu Christi, die in der Taufe verliehen wird, alles was "wirklich" Sünde, was "verdammenswürdig" ist, tilgt (*Röm* 8,1), daß jedoch eine aus der Sünde kommende und zur Sünde drängende Neigung (Konkupiszenz) im Menschen verbleibt. Insofern nach katholischer Überzeugung zum Zustandekommen menschlicher Sünden ein personales Element gehört, sehen sie bei dessen Fehlen die gottwidrige Neigung nicht als Sünde im eigentlichen Sinne an. Damit wollen sie nicht leugnen, daß diese Neigung nicht dem ursprünglichen Plan Gottes vom Menschen entspricht, noch, daß sie objektiv Gottwidrigkeit und Gegenstand lebenslangen Kampfes ist; in Dankbarkeit für die Erlösung durch Christus wollen sie herausstellen, daß die gottwidrige Neigung nicht die Strafe des ewigen Todes verdient und den Gerechtfertigten nicht von Gott trennt. Wenn der Gerechtfertigte sich aber willentlich von Gott trennt, genügt nicht eine erneute Beobachtung der Gebote, sondern er muß im Sakrament der Versöhnung Verzeihung und Frieden empfangen durch das Wort der Vergebung, das ihm Kraft des Versöhnungswerkes Gottes in Christus gewährt wird [vgl. Quellen zu Kap. 4.4.]." (GER-DER, C.1).

an inclination that does not comport with God's original or final desire for humans, and that will be overcome at the end of all things. Christians are called to struggle against this concupiscence, and when they have fallen to its call, to seek "pardon and peace in the Sacrament of Reconciliation."

The next question to ask is if this classically Catholic position really achieves consensus with the Lutherans, as the Joint Declaration claims. In order to examine this question, it will be broken into two. First, does the consensus statement on this topic in the JDDJ (§28) sufficiently represent the Catholic position and its concerns? Second, given the long history of understanding the Catholic position on concupiscence to be in direct conflict with Lutheran teaching, can the JDDJ's solution allow Catholics to accept the Lutheran position, which has even recently raised concern?

The Consensus Statement in the JDDJ

This short statement approaches the topic from neither the direction of concupiscence nor that of the *simul*, which will be the subject of the next chapter. Instead, it asks in what sense the justified person is a sinner, seeking to describe the difficulty in terms that are mutually agreeable, before then explaining why each group's traditional language is reconcilable with this common statement. What results is a statement that quite directly approaches the eschatological double-vision which is shared in common between Lutherans and Catholics. Christians are already one with Christ, for "in baptism the Holy Spirit unites one with Christ, justifies, and truly renews the person."[117] But that reality, while truly present, is not present in its finality yet, because

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[117] JDDJ §28.

the justified must all through life constantly look to God's unconditional justifying grace. They also are continuously exposed to the power of sin still pressing its attacks (cf. Rom 6:12-14) and are not exempt from a lifelong struggle against the contradiction to God within the selfish desires of the old Adam.[118]

Moreover, the real effects in the life of the believer are that they are to live in a state of confident striving, for the object of their hope is already present, even if those things that contradict it are also present for now. God's forgiveness, made theirs in their baptism, remains real in their lives, even though they fall into sin. "The justified also must ask God daily for forgiveness as in the Lord's Prayer (Mt. 6:12; 1 Jn 1:9), are ever again called to conversion and penance, and are ever again granted forgiveness."[119]

This describes neither the pure form of JUSTIFICATION IS A STATE, or IS A TRAJECTORY, but is the blended form, for God's justification is already present fully, although not finally because the justified human must still struggle with sin daily. In a sense, this short-circuits the old imputed/imparted disagreement, because what is given is truly given, but in a way that does not do away with the Christian's ongoing need for God's mercy, righteousness, and help.[120] The gift of grace does not make the Christian independent of God. The righteousness that the Christian possesses is both complete, in the sense that in baptism there really is nothing left that God hates,[121] and incomplete, in the sense that the human is not yet fully remade in the form of his final justice as desired by God. This double-vision of the Christian as already that which God desires them to be

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[118] Ibid.

[119] Ibid.

[120] JF §99, §159.9; Wood, "Observations," 423; Yeago, "Interpreting," 406. In a sense, the remaining difficulty is caused by those who would insist that the disagreement be settled in those terms, rather than in terms of a different model as JF and the JDDJ do. Another way of describing this is the idea of "double agency," suggested as a solution to this problem by Michael Root, "Aquinas, Merit, and Reformation Theology after the Joint Declaration on the Doctrine of Justification," *Modern Theology*, 20 no.1 (2004). The idea will be more directly applied below at n. 168.

[121] i.e. that would lead to damnation.

and not yet fully reformed, is from a Catholic standpoint, perhaps best described in the Council of Trent's terms of the formal cause.[122]

What is key to understanding this definition is remembering what kind of cause this is. It is a *formal* cause, that is, "'the form', 'the account of what-it-is-to-be', e.g., the shape of a statue."[123] If the formal cause of our justification is "our own justness according to the measure which the holy Spirit apportions to each one, …" this is not a tool by which God makes us just, for that would be instrumental causation.[124] Instead, it is the final form of our redemption already present in us, albeit in a hidden manner. This is precisely the language of an eschatological or sacramental vision of the redeemed Christian. The final form of our redemption is already present in us, but not as something onto which we can grasp on our own. It is God's doing, not ours, and God gives us the ongoing freedom to reject his gift. The Roman Catholic insistence that concupiscence not be called sin properly is fully compatible with this vision, for what remains does not endanger God's final salvation made truly present in baptism, but also leaves room to "recognize and confess" with the fathers of Trent that disordered desires remain in us, but that these are neither God's final will for us nor present a final bar to our salvation.

Perceived Conflicts with the Lutheran Position

Roman Catholics have often expressed concern that the Lutheran motto *simul iustus et peccator*, that is, that the Christian is at the same time justified and a sinner, is at

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[122] See above at p. 224.

[123] Falcon, Andrea, "Aristotle on Causality", *The Stanford Encyclopedia of Philosophy* (Spring 2014 Edition), Edward N. Zalta (ed.), http://plato.stanford.edu/archives/spr2014/entries/aristotle-causality, §2. Citing Aristotle, *Physics* II 3 and *Metaphysics* V 2.

[124] So Christopher Malloy, *Engrafted into Christ: A Critique of the Joint Declaration*, (New York: Peter Lang, 2005). I provide a more adequate response to his argument below, p. 236.

best contradictory and at worst a denial of the actual redemption promised in baptism. As one recent example, we can examine the first clarification of the JDDJ requested by the Pontifical Council for the Promotion of Christian Unity (PCPCU) and the Congregation for the Doctrine of the Faith (CDF) in June of 1998.[125] It is important to note that these offices understand, "[t]he major difficulties preventing an affirmation of total consensus … [to] arise in paragraph 4.4 *The Justified as Sinner* (nn.28-30)."[126] Specifically, the Response finds the *simul* to be "a cause of perplexity" and not acceptable, precisely because of the Tridentine decree.[127]

Why this is the case should be clear to the reader at this point. The habitual Roman Catholic blend SIN in the context of concupiscence and baptism does not allow the newly baptized Christian to be called a sinner, for to do so would make baptism ineffective and God incapable of saving. As the Annex makes clear, this insistence is right and proper, for the justified are not sinners in the sense that they are enslaved to sin's power, lacking new life in Christ, or disinherited by God.[128] On the other hand, we cannot say that they remain without sin in the sense that they make no mistakes, are not guilty of "unwitting sins" or "secret faults," or do not need to ask God's forgiveness continually as they do in the liturgy.[129] Moreover there remains a "persisting danger that comes from the power of sin and its action in Christians."[130] In this way, Catholics can

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[125] PCPCU with the CDF, "Response of the Catholic Church to the Joint Declaration of the Catholic Church and the Lutheran World Federation on the Doctrine of Justification." June 25, 1998. http://bit.ly/1iIZm4b. German, GER-DER, C.55.

[126] Ibid., Clarification 1.

[127] Ibid.

[128] Annex §2A.

[129] Ibid., citing Ps. 19:12.

[130] Ibid.

understand the Lutheran motto as neither violating the consensus found in §4.4 of the

JDDJ nor being finally incompatible with the typical Catholic understanding of sin and

concupiscence. The nature of Christian life, from the Catholic perspective, is best seen in

relationship to its eternal goal in Christ. This life is intelligible only in light of Christ, and

in relationship to the new reality first given in baptism. That even Christians are tempted

and commit sins must be perceived and confessed with Trent, but this is not God's final

word about us. In this, the Roman position must be open to the very Lutheran formula

which it at first seems to contradict, for as Hermann Otto Pesch has remarked, "there is a

great difference between a sinner who is only a sinner and a sinner who is at the same

time just … the *simul* is an interior structure of the new creation, not something that calls

it into question."[131]

In response to the historical Lutheran claims that the Roman Catholic position is a

kind of Pelagianism, Catholics have pointed to their repeated assertion that everything

that is meritorious in Christians is itself God's gift in Christ.[132] This in turn rests on a

description of sin as division from and justification as re-incorporation into God through

Christ. For this reason, Roman Catholics have often used the category of *gratia increata*

in the dialogues to describe the justificatory effects of the sacraments on the believer.[133]

If uncreated grace is the indwelling of God himself, and this is effected in the sacraments,

then accounts of the Christian life are accounts of the continual struggle to master the

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[131] Otto H. Pesch, *Hinführung zu Luther,* (Mainz: Matthias Grünewald Verlag, 1982), 191–192. "Zwischen dem Sünder, der nichts als Sünder ist, und dem Sünder, der zugleich gerecht ist, liegt ein Abgrund … Das 'simul' ist eine inwendige Struktur dieser Neuschöpfung, nicht etwa deren Infragestellung."

[132] So, JF §157–58.

[133] JF §103; So also Avery Dulles, "Justification in Contemporary Catholic Theology," 258-60. See also the discussion in LK, *Rechtfertigung*, III.4; 54–55.

temptations to sin which divide us from God in light of the continual offer of forgiveness and reunification with God by grace.[134] This account of the human is inherently communal, for grace is both communicated communally (through the church) and has communal effects (union with the communion of those in Christ). The effects of God's self-gift are to bring the baptized person into communion with the Trinity and the church.[135] The Catholic insistence that concupiscence is not sin properly-speaking is therefore itself an insistence that the Christian is someone who, while capable of sinning and often tempted to do so, is also a participant in Christ's life by virtue of baptism: it is an eschatological description of the double character of Christian life as experienced, if not as intended.

It is unsurprising that it is precisely here that Catholic voices raised concerns in the final stages of the JDDJ, for the habitual structures of Catholic thought as they have been presented in this chapter require the judgment that calling the Christian a "sinner" endangers the very salvation which God promises. The Joint Declaration's solution is not to create a new language which both Lutherans and Catholics will speak, nor is it to settle the sixteenth-century dispute in favor of one party or the other. It instead demonstrates how, by reconceptualizing the questions of debate, a real consensus can be shown to exist that nevertheless leaves the parties speaking their own native languages. These languages will continue to seem to contradict one another, and so will require theologians on both sides to continually demonstrate that the other is truly orthodox, even if speaking an

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[134] Christopher Malloy makes a major point of the distinction between created and uncreated grace, suggesting that created grace is ignored by much of contemporary Catholic theology and specifically the dialogues. However, if created grace is a quality of the soul inclining us to the movement of relationship with God, then this too has a primarily relational character. The Christian is related toward God, and the gift of created grace is fundamentally related to this motion, it is not something which we possess as a thing within ourselves unrelated to our relationship to God. See ST Ia.IIa.Q110.A2.

[135] Ibid., 260-61.

incompatible language. The historical condemnations will also continue to stand as warnings against the temptations present in each tradition.[136]

There is still a continued difference between Lutherans and Roman Catholics regarding the possibility for Christians, other than Mary, to live a life so fully in God's grace as to remain without sin.[137] Nevertheless, the affirmation that the new creation is present in the Christian and in the church by God's continued gift is itself the reality which both these confessional propositions are seeking to guard while they simultaneously admit that the fullness of that new creation is often not present.

Catholic Critiques of the JDDJ

At this time, it is necessary to consider several Catholic critics of the Joint Declaration as they relate to the question of concupiscence and sin in the justified. The goal in doing so is to test the thesis that has been developed in this chapter, and to determine more critically whether the consensus proclaimed by the Lutheran World Federation and the Catholic Church is indeed receivable from the Catholic side.

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[136] This call has repeatedly been made my Michael Root. As one example, see "Continuing the Conversation: Deeper Agreement on Justification as Criterion and on the Christian as *simul iustus et peccator*," 42–61 in *The Gospel of Justification in Christ: Where does the Church Stand Today*, William C. Stumme, ed. (Grand Rapids: Eerdmans, 2006), 44. For an example of what this could very practically mean for Lutheran and Catholic positions, see Robert Jenson, "On the Roman Response," 402–403.

[137] Although even this may require some nuance as Catholics will mean by this, "without mortal sin" and Lutherans do not make this particular distinction.

Avery Cardinal Dulles

Cardinal Dulles has been perceived as a Catholic critic, or at least a reluctant recipient, of the JDDJ.[138] In part, this is correct. As a member of the Lutheran–Roman Catholic Coordinating Committee in the U.S., he was one of three Catholic members who wanted the document enlarged to explain how Lutheran and Catholic teaching on "preparation for justification, the faith of unrepentant sinners, and satisfaction (Trent canons 4, 28, and 30) are not incompatible."[139] Dulles expressed concern that some of these remaining differences might prove to be contradictory.[140] Patrick Carey, in his magisterial theological biography of Dulles, sees these concerns as being particularly illuminated by the differing role played by Mary in Lutheran and Catholic theologies. These "help to explain [Dulles'] criticisms of the declaration."[141] There is certainly a parallel between the Lutheran discomfort with the Catholic emphasis on Mary as the prime example of Christ's work and the parallel case of attending to human cooperation in the work of justification, but I do not find this to be insuperable as Dulles seems to at times. Instead, I see in his critiques, particularly as they developed, an application of the central insight of the JDDJ, that consensus need not eliminate difference.[142]

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[138] Dulles' language about the JDDJ was indeed harsher in 1999 than it was later. See "Two Languages of Salvation: The Lutheran-Catholic Joint Declaration," *First Things* 98 (Dec 1999), 25–30.

[139] "Response by the Lutheran-Roman Catholic Coordinating Committee in the USA to the Proposed 'Joint Declaration on the Doctrine of Justification Between the Lutheran World Federation and the Roman Catholic Church," 4, cited in Patrick W. Carey, *Avery Cardinal Dulles, SJ: A Model Theologian*, (New York: Paulist, 2010), 371.

[140] It should be noted for the present study that none of these relate to the anthropology of the baptized.

[141] Carey, 373.

[142] Dulles also entertains Christopher Malloy's contention that the JDDJ has little juridical authority. He first questions the LWF's authority to make a binding decision on behalf of the member churches. This is a complex issue. The LWF cannot formally force its churches to assent, and so it has

Dulles wanted to define the agreement reached as not changing the internal structures of thought of either church. As noted in the first chapter, he specifically "would not want to expel from the Catholic Church anyone who held the Lutheran positions on justification as described in the JD[DJ]. But if [he] were in a position to do so, [he] would prohibit these Lutheran positions from being preached in Catholic pulpits or taught in Catholic seminaries and catechisms."[143] This position, while it may seem contrary to the spirit of the JDDJ, is in fact a necessary implication of its differentiated consensus. If the consensus were not differentiated, then Lutheran positions would be perfectly acceptable

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historically reported on consensus, but the process of the JDDJ speaks to something new. Following historical precedent, the LWF Council established that there was a consensus among the vast majority of member churches. Then by a vote of the LWF Council (in light of the report of the member churches) the LWF spoke in its own name. Robert Jenson, at least, sees in this action, the creation of "something remarkably resembling a general Lutheran *magisterium* … for the purpose," of declaring the condemnations inactive on behalf of the whole LWF. See Jenson, "Vatican's 'Official Response,'" 401. This may be a bit of an overreach, but the opinion is not a complete outlier. What Jenson describes as a fact is raised as a question in the semi-official history of the LWF published several years earlier:

> The LWF has been able to make common decisions, even about doctrinal matters, by a slow process of consensus formation sealed by an assembly action which recognizes the formed consensus. This form of decision making ... remains untested. Similar procedures are being adopted in relation to the possible declaration of nonapplicability of the Reformation condemnations of the Roman Catholic Church in relation to justification. Can world Lutheranism together make an authoritative statement about the meaning of some aspect of the confessions in the contemporary ecumenical situation? (Jens Holger Schjørring, Prasanna Kumari, Norman A. Hjelm, eds. *From Federation to Communion: The History of the Lutheran World Federation*, (Minneapolis: Fortress, 1997), 244.)

What we can positively say is that as the LWF council recognized a consensus as existing among the churches of the LWF; the JDDJ was therefore signed by the LWF in its own name and not just in the names of the assenting churches. See "Response of the Lutheran World Federation," LWI (June 24, 1998) §e. GER-DER, C.54. See also *Our Continuing Journey,* 147. On the Lutheran side, it therefore seems that while Jenson might be overstating the import of the LWF's decision, Dulles is certainly understating it.

On the Roman Catholic side, Dulles raises the question of what it means that it was signed by the PCPCU, and worries that it merely summarizes the decades of dialogue. Finally, he wonders how the Catholic Church could teach Lutheran positions authoritatively, and vice versa. [Avery Cardinal Dulles, "Justification and the Unity of the Church," 126–28.] I have already responded to the first critique in chapter one. As to the second critique, this moment of recollection is precisely what the LWF and the Catholic Church sought to do in a way that would receive the dialogues' work so that they could be more bindingly taught in common. To make this a reason for doubting the JDDJ's authority is to make the exercise pointless from its beginning. Finally, his worry about teaching for the other church is merely an artifact of the genre. What is taught in common are the consensus paragraphs, and most importantly, that the condemnations do not apply to the other (Official Common Statement (OCS) §1). Of course, the document is not taught infallibly, but it is taught with the church's authority, deserving a kind of *obsequium religiosum.*

[143] Dulles, "Justification and the Unity of the Church," 127.

in Roman pulpits and vice versa. As it is, however, to import Lutheran language and expression into Catholic use runs the risk of a true equivocation leading to false teaching because these statements would be repositioned within a different system of interrelated ideas, definitions, and habitual use.

It is important to keep in mind that Dulles' critiques presuppose the existence of a successful agreement on justification:

> I think this is a very broad consensus, a consensus not only on justification but one which puts justification in the framework of the christological and trinitarian confessions of the undivided Church of the first centuries, a consensus on the center and focus of the Gospel.[144]

This does not mean that all questions are answered, or even that further clarification of issues such as the *simul* might not be helpful.[145] Dulles' ongoing critique of the JDDJ is rooted in his agreement that there is a broad consensus, but one that still should spur the churches to further dialogue.[146] Moreover, this agreement is found in allowing the confessions to retain their habitual language described as being mutually compatible, but allowing the historical condemnations to stand as guards against the remaining danger that either side tip over into the excesses anathematized in the sixteenth century. Dulles

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[144] Ibid., 17. It should be noted that this is a more full support of the JDDJ than he evidenced in 2002, when he wrote that it "tried to accomplish too much," perhaps in part because he was then interpreting the JDDJ as "cling[ing] to the conceptuality and language of the sixteenth-century formulations." Here also he is worried that the notion of "acceptable" may mean that Lutheran language may find its ways into Catholic pulpits and vice versa. Idem. "Justification: The Joint Declaration," *Josephinum Journal of Theology* 9 no.1 (2002): 119. Available at http://www.pcj.edu/journal/essays/dulles9-1.htm. Accessed October 4, 2014.

[145] Dulles, "Justification and Unity," 19.

[146] Ibid., 20.

consistently pointed out that the JDDJ did not overcome all barriers, but that is merely

reiterating its own claim against those who misinterpret it.[147]

Christopher J. Malloy

Christopher Malloy has been an outspoken opponent of the JDDJ in his 2008

book *Engrafted into Christ*[148] and in other published works including a 2007 piece

evaluating the Joint Declaration in light of a theology of Marian coredemption.[149] There

is more to critique in his treatment of the JDDJ than can be adequately addressed here, so

I will confine myself to engaging his argument as it relates to the anthropology of the

justified.

In engaging Malloy, I am making the following two basic critiques of his work:

first, that his account rests on an understanding of consensus as so strong an *Übereinkunft*

that it does not allow for the differences of language, culture, and expression which

condition human speech.[150] Thus, he expects the JDDJ to show that Lutherans and

Catholics say identical things about the same things in the same way, and he is unable to

see the agreement that exists despite remaining difference. Second, his central critique of

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[147] See Dulles, "Roman Catholic Perspective," 20–21. There have been voices who expected that the JDDJ should have brought about full communion, and see the continued break in communion as a fault of the JDDJ. See Hequet, 1–5.

[148] Christopher J. Malloy, *Engrafted into Christ: A Critique of the Joint Declaration*, (New York: P. Lang, 2005).

[149] Christopher J. Malloy, "The Nature of Justifying Grace: A Lacuna in the *Joint Declaration,*" *The Thomist* 65 (2001): 93–120; and Idem. "Marian Coredemption and the Joint Declaration on the Doctrine of Justification," 351–409 in *Mary at the Foot of the Cross, VIII: Coredemption as Key to a Correct Understanding of Redemption, and Recent Attempts to Redefine Redemption Contrary to the Belief of the Church*, (New Bedford, MA: Academy of the Immaculate, 2008).

[150] See chapter two, beginning at p. 84. As Pieter de Witte comments, "It is clear for [Malloy and Scheffczyk that] the only desirable outcome of the ecumenical dialogue would be that Lutherans accept the teaching of Trent in its entirety and abjure their own heresy. In this sense their approach is clearly apologetic." Pieter de Witte, *Doctrine, Dynamic Difference*, 227.

the document is based on his judgment that it pays insufficient attention to the formal cause of justification as defined by Trent, which he calls "a grace given by God that inheres in the justified person.[151] It is my contention that he both misreads Trent, making the formal cause of justification into a secondary instrumental cause, and that this misreading forces him to misjudge the JDDJ.[152] As a final note, Malloy regularly gathers Lutheran voices unhappy with the JDDJ and uses them as evidence that it is not a truly Lutheran document.[153] These critiques cannot be answered in this chapter, as it has not yet examined the Lutheran accounts of justification and their conformity with the account in the JDDJ.[154]

Concupiscence and Consensus

Malloy's chief engagements with concupiscence rest on an understanding of "remnant sin" developed in conversation with Wolfhart Pannenberg and the Finnish School. This idea, rooted in Luther's *Against Latomus*, Malloy portrays as a stronger understanding of what is "not yet" in the Christian: "The Finns, however, view the 'not yet' character of transformation not merely as concupiscence, not merely as the persistence of venial sin, not merely as the incomplete character of adoptive sonship in

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[151] Malloy, *Engrafted*, 20.

[152] It also seems that his emphasis on the formal cause of justification leads to a disassociation of that teaching from the other causes that the council defines, namely the efficient and meritorious causes. See de Witte, 228–29.

[153] See, for example, 275–79, but the tendency is found throughout the book.

[154] Even in chapter five, Malloy's use of Lutherans will go unanswered, but several of the voices he cites will be engaged. As I wrote in the first chapter, I am not, as a Roman Catholic theologian, in a position to argue that a particular position is the proper Lutheran understanding. However, given the unique ecclesial act that the signing of the JDDJ represents in the modern Lutheran world, I can explicate what its teaching is and relate this to historical Lutheran sources and contemporary dialogue.

this life, but primarily as remnant infidelity worthy of damnation."[155] In Pannenberg, he

finds this idea even more broadly interpreted, for here it is specifically a remnant of

original sin, unpurged by baptism.[156] In tracking this idea in the JDDJ, Malloy insists that

the diametric positions of the sixteenth century be settled in the terms of the original

debate, forcing a choice between either the Catholic or the Lutheran position as expressed

then. Thus, there must be not only room for, but the explicit mention of inhering grace in

any consensus which he would recognize.[157] Malloy not only requires that the Lutheran

position be reconcilable with the Catholic position, but also that all the implications of

the Catholic position be explicitly present in the Lutheran.[158] In dealing with what the

Lutherans call "remnant sin" he is unable to ask whether they are using terms in ways

that force the dichotomy he sees. For example, when the Finns speak of a "remnant

infidelity worthy of damnation," they are clearly not speaking of something that actually

prevents the Christian from being saved. It must be much more like Melanchthon's

insistence that the remaining tendency is no indifferent thing,[159] or Luther's confidence

that this remaining disease would be purged.[160] Instead of insisting that Lutherans accept

the distinction of mortal and venial sin and say that the latter do not "deserve" damnation,

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[155] Malloy, *Engrafted,* 155.

[156] Malloy, *Engrafted*, 181.

[157] This is more explicitly connected to my second point, and so will be taken up again in the next sub-section.

[158] See, for example, his engagement with "cycles" of mortal sins on p. 291–92. It is noteworthy here that his engagement with Catholic moral theology likely narrows the field of allowable Catholic positions more than the church itself does, although because he does not provide particular examples or further descriptions of the theologians he is ruling out of bounds, this is difficult to judge.

[159] See above, n. 35.

[160] See above, p. 181.

the JDDJ instead asks if Lutherans believe that Christians are separated from God by this sin, to which it can answer a firm "no."[161]

The requirement of verbal agreement in all details is even clearer in his article evaluating the JDDJ in light of co-redemption. Indeed, like the Kinki Japanese Lutherans, he asks repeatedly on which "side of the contradiction" the JDDJ's statements fall.[162] Asking the question in this way presumes that a contradiction exists and therefore only allows a solution to ecumenical difference by surrender. This tendency repeatedly leads him to ask the wrong kind of question of Lutheran engagements. In querying the *simul*, for example, he separately holds up each of the affirmations "entirely righteous" and "entirely a sinner" to Tridentine teaching on its own, and finds each lacking.[163] As will be shown in the next chapter, these descriptors are not intended to operate singly. They are a matched pair that makes a very particular point about the baptized Christian. As paired terms they cannot properly be split.

One category which would greatly improve Malloy's ability to engage the difference between Lutheran and Catholic understandings of concupiscence is the difference between considering concupiscence as an alien something in us, and concupiscence as the movements of our own will.[164] Clearly, these are not mere

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[161] JDDJ §29.

[162] Malloy, "Coredemption," 369.

[163] Malloy, "Coredemption," 383–84. More surprisingly, he here quotes a longer section of §29, and still fails to notice the different logic spelled out in that paragraph by the traditional Lutheran image of the Christian as he sees himself in God's proclamation (*coram deo*), and as he looks at himself on his own (*coram hominibus*).

[164] This distinction is present in LK already, see *Rechtfertigung* III.2.a; 50–51. See also Friedrich Beisser, "Die Rechtfertigungslehre des Tridentinums und seine Interpretation," 34–48 in *Bekenntnis* Fuldaer Heft 31 Reinhard Rittner, ed. (Hannover: Lutherisches Verlagshaus, 1990), 41–42. Beisser does not accept LK's description of Trent on grace, specifically because Trent does not describe grace as a *habitus* but as something in the person.

contradictions, but different foundational metaphors, each of which makes different expressions possible or likely.[165] Insofar as concupiscence is something different from us and which is "in" us, Malloy's engagements with the Lutheran's positions are more reasonable, for how could that foreign thing be both "damnable" and yet not "damned" if God is just?[166] On the other hand, if concupiscence is conceived as the remaining movement of our own will which opposes God's will for us, then we find in ourselves something which is both truly ours and which is experienced as opposing God. This thing we know will have to be healed before our final union with God. In Malloy, exclusive attention to the prevailing metaphor of things "in" us, whether grace or sin, neglects the personal aspect of both our justification and our ongoing struggle with concupiscence. It therefore runs the risk of not only misunderstanding Lutheran language, but of forgetting a central Catholic claim: grace is never a thing. Created grace is a quality of the soul, not a thing added into the human being that has its own existence.[167] The justice "by which"

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[165] Cf. this with de Witte's contention that dialogue presupposes a kind of learning process, and that this process could show that the structure of Catholic thought "due to its existential-sapiential structure, implies a more paradoxical view of sin than is admitted by Malloy." The definitions of Trent might therefore be "open to the dynamic that led to the presentation of the Roman Catholic doctrine of justification in the JDDJ and that it even calls for such a development." Pieter de Witte, *Doctrine, Dynamic Difference,* 229.

[166] Malloy, "Coredemption," 392.

[167] ST I.II.Q110.A2. As Stephen J. Duffy notes, "Following Aristotle's view of habit as a quality and an accident, Thomas presents grace as a mode of personal being. It is not a substance; it is an accident, whose being is a being-in-another. Grace is not reified as some *thing* or as being like redness in a rose, but is viewed as a modification of personal being so that the person exists in a different way. Quality is the least inadequate category Aquinas could invoke given his context. .. Firmly planted in the scriptural and patristic tradition he could shear it of its material analogate, which, all too often after Thomas, led some to reify grace by converting quality to quantity so that grace became a magic elixir poured into the soul." Duffy, *Dynamics of Grace,* 157–58.

God makes us just is a final cause, not an instrumental one.[168] This brings us directly to the second critique.

Concupiscence and the Formal Cause of Justification

As noted above, the problems with Malloy's critique extend well beyond his inability to properly interpret across different dialects of Christian language. He sees an original divide, what we might call a *Grunddifferenz*, existing between Lutherans and Catholics. This difference he locates in their opposing verdicts on Trent's formal cause of justification. Malloy's engagement with this formal cause, however, falls into an easy trap. Because he consistently imagines created grace as a "thing" which God puts inside the person and by which they become just, he fails to preserve this cause as a *formal* cause. Instead, he lets it slip easily into the mold suggested by his controlling metaphor. It becomes a secondary *instrumental* cause of justification. This failure permeates his thinking about Lutheran-Catholic difference, and prevents him from doing justice to either the Tridentine teaching or the Lutheran.

Malloy's central insight seems to be that the JDDJ does not attend to Trent's formal cause of justification directly. While he admits that the "phrase itself is expendable," he finds this to be a central, unresolved difficulty in the JDDJ.[169] He describes the Catholic position in this way: "Catholics confess that justifying grace formally causes justification because it is an infused grace that expels all damnable sins

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[168] DH 1515. A better expression of the action of this grace (so as to prevent the tendency to slide into the problematic metaphoric frame described) would be that that the Christian is "formed into the image of this justice."

[169] Malloy, "The Nature of Justifying Grace," *The Thomist* 65 (2001), 93–94.

by inhering in a man."[170] He explains this more fully in the book after quoting the draft text of chapter seven of the sixth session of Trent.

> This draft made it absolutely clear that there is only one formal cause of justification: this is not the justice of God himself but rather the justice imparted to the sinner, making him to be truly just. In other words, the formal cause was defined as inhering grace, freely and divinely infused through the merits of Christ, provided the human person freely accepts God's mercy with the help of prevenient grace.[171]

The problem arises as he tries to compare this teaching with the Lutheran position, and it seems to have two roots. The first is that his insistence on the historical language of inhering grace (*gratia inhaerens*) or justice (*iustitia inhaerens*) tempts him, as we have said, to think of that grace or that justice as an object placed inside the human being *by means of which* God produces an effect in the justified.[172] The second is that his interpretation of the Lutheran position always loses the eschatological framework in which it must be interpreted.

Malloy's tendency to view grace as a thing inside people has its parallel in his similar tendency to view concupiscence and actual sins in the same manner.[173] Thus justice, for Malloy, seems to be a tallying of the objects contained within the human being. He describes the Catholic position (rejected by Lutherans) as being that "infused

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[170] Malloy, "Justifying Grace," 75.

[171] Malloy, *Engrafted,* 75. He says something quite similar in his first article on the subject, "First, the Catholic Church teaches that justification's singular formal cause is the grace which, infused by God on account of Christ's merits, sanctifies a man by inhering within him.[1]That is, the repentant sinner is justified precisely by an infusion of the grace or charity that constitutes justification, the culmination of the instantaneous process whereby 'there is a transition from that state in which a man is born a son of the first Adam to the state of grace and of adoption of the sons of God, through the second Adam, Jesus Christ our Savior.'[2]" Idem., "Justifying Grace," 104–105. Here, his cites to places in Trent. The first he directs to the definition of the formal cause, Tanner II:673.26-32; the second to Chapter 4 of the same Session, which describes" the justification of a sinner and its character in the state of grace," Tanner II:672.14–16. Despite the first footnote pointing to Chapter 7, his language of "inhering within him" is an imposition onto that text, although it is certainly used elsewhere.

[172] This "*by means of which* X produces effect Y" is the very definition of an instrumental cause.

[173] Malloy, "Coredemption," 384.

gifts (charity, and even faith itself) expel all damnable sins."[174] While the description is

not in itself problematic, it does force a particular frame of metaphoric use, and

encourages the user to conceptualize sins and grace as MUTUALLY-EXCLUSIVE OBJECTS.[175]

Thus, for Malloy, concupiscence cannot be sin not merely because that would make

baptism universally ineffectual, but because inhering grace and sin cannot occupy the

same internal space. Venial sins are in this image, "small enough" to squeeze into the

person along with *iustitia inhaerens*, and in his opinion, this adequately describes the

justified Christian this side of the eschaton. We are saved by God, and as long as the only

sins we acquire are venial, or we expel mortal sins by return to the sacrament of

reconciliation, our tally will come out positive and we are among the saved. But this

collapses the eschatological tension of the Tridentine vision. It makes of the double-scope

network (in which the frames of both the "already" and the "not yet" are held in

productive tension) into a mirror network in which human life is framed entirely in the

present.[176]

Instead, the Tridentine formal cause must be maintained as a *formal* cause, as it is

that justice which gives shape to the Christian's renewed life. It is, as it were, God's

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[174] Malloy, "Justifying Grace", 96. Otto Hermann Pesch has described this difference between Lutherans and Catholics as a difference between an understanding in which sin (and therefore also righteousness) is a quality of a substance inhering within the person, and one in which they are descriptions of the relationship that exists between a person (or humanity) and God. See "Existential and Sapiential Theology: The Theological Confrontation Between Luther and Thomas Aquinas," 61–81 in *Catholic Scholars Dialogue with Luther*, Jared Wicks, ed., (Chicago: Loyola University Press, 1970), 61–81; 182–93.

[175] It represents a slippage from the language of Trent that is likely to produce problems. For one thing, it tends to make God's action and the human action separate things (God puts something in the human, who then acts to keep or reject it), rather than what is better described in classical scholastic theology as "double agency." This "is not a cooperation where two agents each do part; rather God is at work moving human action. God (and God alone) can move the human person in this way without violating that person's freedom, for as Creator and Preserver God's relation to the person is, so to speak, an internal one." Michael Root, "Aquinas, Merit, and Reformation Theology", 12.

[176] This has an opposite tendency among some Lutheranisms, which want to see the human's justification to be framed entirely by the future. See chapter five, p. 300.

vision for what a particular Christian person is to become. It remains a formal cause even while they have not yet been conformed to it fully, just as the form of Aphrodite remains the formal cause of the Venus de Milo despite the imperfect equivalence caused by her lack of arms. Thus, the formal cause of Trent, especially when paired with Trent's realistic appraisal of the human capacity for imperfection, requires an eschatological double-vision of the sort we have been describing. It cannot be merely the this-worldly tabulation of sins venial and mortal vs. the grace given that drives them out. It must keep hold of both the already and the not-yet and by holding these in tension, create space to say something new. God's gift of justice, precisely as created grace, can only be a formal cause and a quality of the soul, not an added instrumental cause by which God brings about effects.[177] By collapsing the eschatological space represented by the formal cause, Malloy cannot understand the Lutheran position and presents a drastic cheapening of the Tridentine vision. His single-minded focus on the deeply traditional language of inhering justice has led him to mistake the analogy and slide into an improper conception of its use, and thus, a thoroughgoing misinterpretation of the council.

Chapter Conclusion

This chapter has traced the Roman Catholic position on concupiscence as it developed through its definitive teaching at the Council of Trent. It has applied the tools developed in the previous chapter to make clearer the network of metaphoric conceptualization in which these engagements are sensible and even necessary. In particular, the conceptual blend SIN IS AN IMPURITY WARRANTING DISINHERITANCE was

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[177] See ST I.II. Q110.A2.

found to be particularly central to the Council of Trent and the contemporary Roman Catholic sources. A controlling sacramental frame dependent on baptism was also seen throughout.

The position was also shown to be best interpreted as an eschatological double-vision in which the human being as he is and as he will be are held in unity. The present person is not to be sundered from the form of his final regeneration, nor is the distance between the present reality and that fullness of justice to be collapsed.

The Council's position on concupiscence was then shown to be both clearly taken up in the JDDJ's paragraphs explaining the Catholic position and to be compatible with the common statement of section 4.4 as clarified by the Annex. Finally, several Catholic critics of the JDDJ were engaged to ask whether the judgment that true consensus had been reached is warranted. In particular, the work of Christopher Malloy was found to be based on an insufficiently careful interpretation of the Council of Trent, collapsing its eschatological tension and leading to an insufficiently Catholic interpretation that also produced an inability to understand the Lutheran position. Keeping the controlling metaphors in mind allows both positions to be understood properly. Keeping hold of the eschatological tension also prevents ether from collapsing into the un-tectonic positions condemned in the sixteenth century.

The final chapter will follow the same procedure for engaging the Lutheran motto *simul iustus et peccator*. It will be shown to be operating on a different metaphoric framework, but similarly holding together an eschatological vision of the justified person who recognizes and confesses the ongoing effects of sin in his life. Both of these positions are describing the Christian after baptism. Her life cannot be adequately

described without referencing both Christ's unshakable gift of salvation, and the remaining fleshly aspects which have yet to be rooted out of her. The Joint Declaration finds its consensus not be litigating the questions as they were asked in the sixteenth century, but by discovering the common pattern of Christian experience, and relating both Lutheran and Roman Catholic claims to this.

CHAPTER FIVE:
SIMUL IUSTUS IN AN ESCHATOLOGICAL LENS

Chapter Introduction

The Lutheran aphorism *simul iustus et peccator*, expressing that the Christian is at the same time justified and a sinner, has both a more complex history of development and a less definitive interpretation than does the Tridentine definition on concupiscence treated in the previous chapter. It will, therefore, require a somewhat more expansive history, attending not only to the sixteenth-century development of the phrase in Luther and the Confessions, but also to the rediscovery and reinterpretation which the phrase received in the nineteenth and twentieth century, particularly related to systematizations of Luther's thought.

Several systematic concerns will also require development before proceeding to chart the cognitive blends related to this topic and operative in the JDDJ. These have to do with whether the phrase is to be interpreted in a *totus-totus* (i.e. the Christian is completely justified and completely a sinner) or a *partim-partim* manner (the Christian is partly justified and partly a sinner). Of course, holding to both in different situations or according to different manners of speaking is possible; it appears that the JDDJ does precisely this. This distinction will have important parallels with what we have previously termed understanding justification as a state and as a trajectory.[1] Two intra-

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[1] Purely *totus-totus* interpretations will emphasize justification as a state; interpretations allowing a *partim-partim* interpretation will allow some language of trajectory. As will become clear, the traditional Lutheran distinction between justification and sanctification often serves to keep these two considerations quite separate.

Lutheran concerns, namely how justification relates to the Christian in history, and whether the *fides* (faith) that justifies is only *fiducia* (fiduciary trust), are also important to this interpretation because both questions relate to which interpretations of the simul are allowable.

After these issues are clarified, it will be possible to describe the Lutheran cognitive blend for sin. As the previous chapters noted, it can be described as SIN IS THAT WHICH IS NOT IN ACCORD WITH GOD'S LAW,[2] and it is framed by the Lutheran distinction between law and gospel. This framing introduces a second way of speaking about sin, that is, as "ruled sin" producing the metaphoric blend SIN IS A SICKNESS TO BE HEALED OR AN IMPRISONED ROBBER.[3] In light of this understanding of sin, the *simul* provides an eschatological double-vision of the Christian as justified and sinner, although the precise vision will be changed by the interpretation that the phrase receives.

Finally, having laid this groundwork, it will be possible to examine the Lutheran blends as operative in the JDDJ's section 4.4, "The Justified as Sinner" and in Annex §2A–B, and to examine two representative critiques of the JDDJ. The first is levied by Daphne Hampson. Her negative reaction to the JDDJ in part demonstrates her inadequate understanding of the Catholic position, but also rests on an acceptance of a strong dialectic as the defining characteristic of Lutheran thought. The second, representing a "Confessional Lutheran" viewpoint, is offered by the faculty of Concordia Seminary, Fort Wayne, Indiana. They offer a number of critiques structured by an insistence on a purely forensic account of justification entirely separated from sanctification.

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[2] This phrasing is from Luther, *Against Latomus*, "id quod non est secundum legem dei." WA 8:83.29.

[3] These will be described more fully below, beginning on p. 281.

The JDDJ represents a real consensus between Lutheran and Catholic positions, but not all Lutherans will accept its account of Lutheran thought. In this chapter, I will attempt to show that its depiction is a reasonable account of Luther's thought and that of the Confessions. What I cannot do is to normatively argue that this is the only, or even the best, development of Lutheranism in the contemporary era.[4] That determination must be left to Lutherans. Demonstrating that the JDDJ develops a differentiated consensus despite differences is a plausible goal. The analysis of metaphoric blending found in this project can make the positions of each party to the JDDJ clearer and show how they can be held together. The analysis, however, cannot adjudicate the ongoing conversation between signatory and non-signatory Lutherans regarding the definition of a properly Lutheran theology of justification.

Sixteenth-Century Development

In any engagement with Lutheran theology, the question must be raised of how to relatively value the theology of Martin Luther, that of the Confessions, and the interpretations of the contemporary era. In what follows, my engagements with the sixteenth- and twentieth-century sources are intended not to judge the Lutheran position as developed in the JDDJ, but to contextualize it and to make clear the various Lutheran influences on its final form. Nevertheless, the confessional documents, and to a lesser

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[4] A recurring concern throughout this chapter is the historical role played by explicitly anti-medieval and/or anti-Catholic hermeneutics for interpreting Luther in the twentieth century. If Luther indeed failed to fully implement his "reformation insight," leaving a number of medieval remnants that contemporary theologians must purge, then the mark of a real Lutheranism will be its distance from the historic Catholic commitments. If this is the case, then Daphne Hampson may be right that there is an unbridgeable contradiction between the two traditions, although it is not the contradiction that she posits. The Roman Catholic insistence that the decisions of the historical church are part of a developing tradition would then be in conflict with those who measure growth by its purgation of that tradition.

extent Luther's writings, do wield authority over contemporary Lutheran theology, and they cannot merely be brushed aside.[5]

Luther

It is clearly impossible to give a sufficiently thorough description of Luther's use of *simul iustus et peccator* in one section of one chapter of this project. What follows, therefore, represents an overview providing references to other studies in order to give the reader a sense of Luther's use of the term and its later effects in Lutheran theology. I will focus on its appearance in three documents: its first expression in the *Lectures on Romans* (1515–16), its development in *Against Latomus* (1521), and its employment in terms of law and gospel in the *Lectures on Galatians* (1530).

Beginnings: Lectures on Romans (1515–16)

The concept of *simul iustus et peccator* developed in Luther's thought in the second decade of the sixteenth century. The noted phrase makes its first appearance in the

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[5] The different values given to these documents by different Lutherans is part of the difficulty with which the JDDJ had to wrestle in engaging world Lutheranism. The LWF constitution describes the authority of Confessions in this way: "The Lutheran World Federation confesses the Holy Scriptures of the Old and New Testaments to be the only source and norm of its doctrine, life, and service. It sees in the three Ecumenical Creeds and in the Confessions of the Lutheran Church, especially in the unaltered Augsburg Confession and the Small Catechism of Martin Luther, a pure exposition of the Word of God." (LWF Constitution, §2. Available at http://goo.gl/Id4CFG. Accessed September 7, 2014). Different member churches have different descriptions of how these documents are authoritative within their own church. It should be remembered that part of the conversation about the JDDJ on the Lutheran side was whether its affirmation would set the JDDJ up as a new confession, a position which the LWF did not see to be a necessary outcome of its signing, particularly because it expresses differentiated Lutheran and Catholic positions within the text, and is therefore of a different genre than "Confession." See chapter one, p. 35.

Römervorlesungen of 1515–16[6] in his consideration of concupiscence, (Rom 7:7[7]), and of

Paul's surprise that he does not do what he knows to be right (Rom 7:15[8]). It returns as a

major theme in the scholion on chapter four, particularly its second conclusion and the

following corollary.[9] Here the theme of the opposition is clear: saints "are always sinners

in their own sight," while sinners "are always righteous in their own sight."[10] Our own

consideration of ourselves and God's consideration of us are opposed in experience, and

possibly by necessity. This idea is strengthened in the second conclusion by the addition

of the idea of contemporaneity (*simul*) and because the saints are both righteous and

unrighteous within one point of view: "'God is wonderful in His saints,' [Ps. 68:35]. To

Him they are at the same time both righteous and unrighteous."[11] The saints are "just by

[means of] the consideration of God's mercy."[12] In the following corollary, Luther is

wrestling with the role of post-baptismal concupiscence:

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[6] Martin Luther, *Die Vorlesung über den Römerbrief*, (*D. Martin Luthers Werke Kritische Gesamtausgabe*, vol. 56, Weimar: Hermann Böhlaus Nachfolger, 1938)70.9–10. "*simul sum peccator et iustus*;" 269.21–22 as "'*Mirabilis Deus in sanctis suis', Cui simul sunt Iusti et Iniusti*;" 272.17 as "*simul peccator et Iustus*." For a fuller treatment of the development of this phrase in Luther, see Otto Hermann Pesch, "Simul iustus et peccator: Sinn und Stellenwert einer Formel Martin Luthers Thesen und Kurzkommentare," in *Gerecht und Sünder zugleich? Ökumenische Klärungen,* ed. Theodor Schneider and Gunther Wenz, (Freiburg im Breisgau: Herder, 2001), 146–67. Hereafter, volumes of the Weimar *Kritische Gesamtausgabe* will be cited as WA. When the English of the American Edition of Luther's Works is cited, it will be as LW.

[7] "What then can we say? That the law is sin? Of course not! Yet I did not know sin except through the law, and I did not know what it is to covet except that the law said, 'You shall not covet.'[*Vul*: *Non concupisces*]" NAB

[8] "What I do, I do not understand. For I do not do what I want, but I do what I hate."

[9] WA 56.269–273 = LW 25.254–259.

[10] WA 56.269.21–30: "'Mirabilis Deus in sanctis suis', Cui simul sunt Iusti et Iniusti. Et Mirabilis in hipocritis Deus, Cui simul sunt Iniusti et Iusti. Quia dum sancti peccatum suum semper in conspectu habent et Iustitiam a Deo secundum misericordiam ipsius implorant, eoipso semper quoque Iusti a Deo reputantur. Ergo sibiipsis et in veritate Iniusti sunt, Deo autem propter hanc confessionem peccati eos reputant Iusti; Re vera peccatores, Sed reputatione miserentis Dei Iusti; Ignoranter Iusti et ScienterinIusti; peccatores in re, Iusti autem in spe.

[11] Ibid.

[12] Ibid., 269.29. "Sed reputatione miserentis Dei Iusti"

Therefore, actual sin (as it is called by theologians) is more truly sin, i.e. the work and fruit of sin, but sin itself is the passion, tinder [*fomes*] and desires [*concupiscentia*] or the inclination towards evil and the obstinacy towards good as below "I would not have known coveting to be sin." If however, "they work," and they are therefore not themselves works, but workings that bear fruit; therefore they are not fruit. Therefore to the contrary, just as our justice that is from God is that turning toward goodness and away from evil, given interiorly through grace, and our works themselves are the better fruits of justice, so sin is this turning away from good and inclination to evil. … And now this is evil, since it is truly sin, which God remits by his non-imputation from his mercy to all who discern and confess and hate it and pray to be healed of it. From this it is such that "if we say we have no sin, we are lying." And it is false that this evil is able to be healed by works, for experience testifies that in whichever good work we do there remains desire [*concupiscentia*] for evil remains and no one is clean of it, not even a one-day-old child. But God's mercy is that while this remains it is not thought of as sin for them, who call on him and lament for his liberation. Now such ones easily avoid works for they always seek eagerly to be made just. Such therefore in ourselves we are sinners and yet just persons by faith in God's sight. For we believe the one promising to free us provided that for now we persevere, such that sin not rule [us] but we hold it back until he remove it.[13]

Luther then proceeds to talk about a sick person under the care of a doctor, who hopes in his future health because of the doctor's care. Here, the *simul* is clearly a promise of a future healing which is held in hope because of the trustworthiness of the one promising. In fact, the rhetorical version of the *simul* that Luther had deployed just before this

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[13]Ibid. 271.6–272.2. "Ergo Actuale (sicut a theologis vocatur) verius est peccatum i. e. opus et fructus peccati, peccatum autem ipsa passio fomes et concupiscentia siue pronitas ad malum et difficultas ad bonum, sicut infra: 'Concupiscentiam nesciebam esse peccatum.' Si enim 'operantur', ergo non sunt ipsa opera, Sed operantes, Vt fructificet; ergo non sunt fructus. Igitur a Contrario: Sicut Iustitia nostra ex Deo Est ipsa ipsa Inclinatio ad bonum et declinatio a malo interius per gratiam data, opera autem sunt potius fructus Iustitie, Ita peccatum est ipsa declinatio a bono et inclinatio ad malum. … Hoc enim malum, cum sit re vera peccatum, Quod Deus remittit per suam non-Imputationem ex misericordia omnibus, qui ipsum agnoscunt et confitentur et odiunt et ab eo sanari petunt. Hinc fit, Vt 'si dixerimus nos peccatum non habere, mendaces simus'. Et error est, Quod hoc malum possit per opera sanari, Cum Experientia testetur, quod in quantumlibet bene operemur, relinquitur concupiscentia ista ad malum et nemo mundus ab illa, nec Infans vnius diei. Sed misericordia Dei est, Quod hoc manet et non pro peccato reputatur iis, qui Inuocant eum et gemunt pro liberatione sua. Tales enim facile et opera cauent, quia querunt Iustificari omni studio. Sic ergo in nobis sumus peccatores Et tamen reputante Deo Iusti per fidem. Quia credimus promittenti, quod nos liberet, dummodo interim perseueremus, ne peccatum regnet, sed Sustineamus ipsum, donec auferat ipsum."

section makes this explicit: God is wonderful in his saints, who know themselves to be

sinners, and are thus "sinners in fact, but saints in hope."[14]

Otto Hermann Pesch summarizes the sense and use of the formula here. Luther

employs it "in order to break pride in any self-justice and to make clear the ongoing

struggle in which the Christian is found: bridged by God's total effective non-imputation

and aligned on the hoped-for-good of the final overcoming of sin through the

eschatological gift of justice."[15] In the section of the *Römervorlesungen* cited above, this

pattern is clear. The Christian is one who in looking at his own life sees the remaining,

defanged power of sin and who struggles against it daily while waiting for God to finally

remove it. Luther calls this remaining sin "ruled" because Christ prevents it from harming

the Christian. It is not evidence that we will not be saved (as Pope Leo X understood

Luther to be saying)[16] but is a sparring partner while we await our final salvation.[17] In

this context, then, the *simul* is a statement of hope from Christians who see all too clearly

the situation of struggle in which they remain, but trust that God's promises made in the

sacraments are good.

As Jared Wicks notes, Luther's skepticism regarding the "Scholastic thesis that

justification was instantaneous change by an infusion of grace and concomitant expulsion

of sin" led in the *Lectures on Romans* to a distinction between "God's forgiveness as the

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[14] WA 56:269.30 "peccatores in re, Iusti autem in spe."

[15] Otto Hermann Pesch, "Simul Iustus et Peccator," 153. "Der Sinn der Formel, zusammengefasst, ist also hier: den Stolz auf jede eigene Gerechtigkeit zu brechen und die unabgeschlossene Kampfsituation des Christseins herauszustellen: überbrückt durch Gottes total geltende Nicht-Anrechnung und ausgerichtet auf das Hoffnungsgut der endgültigen Überwindung der S:unde durch die eschatoloogische Gabe der Gerechtigkeit."

[16] See chapter four, p. 192.

[17] WA 56.331.24. "Sed seruit, quando ei resistitur, quia perficit odium iniquitatis et amorem Iustitie."

nonimputation of our sin and the temporally extended and purifying expulsion of sin."[18]

Commenting on the progress of the Christian, "whose life is not inactive, but in motion towards the better, just as a sick person [is moving] from sickness into health,"[19] Luther systematizes the process of expelling sin according to what he takes to be Aristotle's account of change.[20] In this setting, Luther describes justification as a stage in the spiritual life, albeit a stage that one does not completely pass through until heaven:

> The human is always in nonbeing, on the way, in being; always in privation, in potency, in act; always in sin, in justification, in justice, i.e. always a sinner, always a penitent, always a saint. Indeed the fact that someone repents, this makes a saint of the unjust. Therefore, penitence is the path between injustice and justice. Our *terminus a quo* stretches as far as sin and our *terminus ad quem* stretches to justice. If therefore, we always repent, we are always sinners, and yet for that reason we are saints and made righteous, partly sinners, partly saints [*partim peccatores, partim Iusti*], i.e. nothing except penitents. And just the opposite for the impious, who fall away from justice hold a middle place between sin and justice moving opposite [to us]. Hence, this life is a road between heaven and hell. No one is so good that she is not made better, no one so bad that he is not made worse, until we come all the way to our final form [*formam*].[21]

The Christian is thus a creature always in flux, always tending towards his final goal by means of repentance. Sin here names both the particular actions of which the Christian

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[18] Jared Wicks, "Luther and this Damned, Conceited, Rascally Heathen Aristotle: An Encounter More Complicated than Many Think," review of *Der junge Luther und Aristoteles. Eine historisch-systematische Untersuchung zum Verhältnis von Theologie und Philosophie,* by Theodor Dieter, *Pro Ecclesia* 16, no. 1 (2007):98

[19] WA 56.441.15–16."Quorum vita non est in quiescere, sed in moueri de bono in melius velut egrotus de egritudine in sanitatem."

[20] Theodor Dieter, *Der junge Luther und Aristoteles: eine historisch-systematische Untersuchung zum Verhältnis von Theologie und Philosophie,* (Berlin: De Gruyter, 2001), 302–308. The five stages Luther describes are nonbeing (a person in her sins), becoming (justification), being (righteousness), action (doing and living justice), and being acted upon (to be made perfect). See WA 56.442.1–5.

[21] WA 56.442.15–25. "Semper homo Est in Non Esse, In fieri, In esse, Semper in priuatione, in potentia, in actu, Semper in peccato, in Iustificatione, In Iustitia, i. e. Semper peccator, semper penitens, semper Iustus. Quod enim penitet, hoc fit de non Iusto Iustus. Ergo penitentia Est medium inter Iniustitiam et Iustitiam. Et sic est in peccato quoad terminum a quo et in Iustitia quoad terminum ad quem. Si ergo semper penitemus, semper peccatores sumus, et tamen eoipso et Iusti sumus ac Iustificamur, partim peccatores, partim Iusti i. e. nihil nisi penitentes. Sicut econtra Impii, Qui recedunt a Iustitia, medium tenent inter peccatum et Iustitiam contrario motu. Quare hec Vita Est via ad cęlum et infernum. Nemo ita bonus, vt non fiat melior, nemo ita malus, vt non fiat peior, vsque dum ad extremam formam perueniamus."

repents and the state from which God draws him ever farther away, through the gift of repentance. For this reason, Wicks rightly summarizes, "Luther called the ever-recurring starting point, the prior instant, 'sin,' from which you always have to be moving on, while the contrary, righteousness, is always ahead and toward it you have to keep setting out ever anew."[22] Of course, to try and do this of one's own power will always result in ruin; it must always be the result of Christ's gift. Penitence in Christ is truly the path to justice.[23]

Development: Against Latomus (1521)

Luther's *Against Latomus* comes at the end of several years of back-and-forth argumentation between Luther and the Louvain theologians.[24] It responds directly to a book written against Luther by Jacques Masson (Jacobus Latomus).[25] Luther's expansive statement: "Every good work in the [earthly] pilgrimage of saints is sin" is the chief point of contention in the work.[26] Luther defends his position through an interpretation of Isaiah 64:5a, "We have all become like something unclean, all our just deeds are like polluted rags." Regarding this verse, Luther and Latomus disagree on several points: to whom the verse properly applies, whether "all" can be read as poetic overstatement or

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[22] Wicks, "Luther and Aristotle," 98–99.

[23] There are strong monastic echoes here. See RB 7. Luther also cites St. Bernard just before the above WA 56.441.21 to reinforce his point of needing to desire to be better.

[24] Martin Luther, *Rationis Latomianae confutatio,* WA 8:36–128.

[25] For the present task, Latomus' actual positions matter little, as the work is being read to flesh out Luther's understanding of the Christian after baptism, specifically as saint and sinner. For that reason, I will restrict myself to directly engaging the *Antilatomus*. For a history of the interaction, see Jos E. Vercruysse, "Jacobus Latomus und Martin Luther: Einführendes zu einer Kontroverse," *Gregorianum* 64, no. 3 (1981): 515–38.

[26] Luther refers to the thesis both as the last thesis and as the first. "Ultimus: Omne opus bonum in sanctis viatoribus esse peccatum" WA 8:58.7–8; "Primus articulus a Latomo petitus est iste: Omne opus bonum est peccatum." Ibid 59.1–2. I will treat these as one in what follows.

synecdoche, and whether it is logically consistent. This last is the most interesting for the present engagement. Luther once again asserts on the basis of scripture that no person can stand upright before God's judgment except by God's mercy.[27]

It could seem that the dispute is about whether there are any truly sinless persons, but both men would reject this position.[28] Instead, Luther is arguing that there is *no single work in any saint* which they would dare hold up as not "in need of God's forgiving mercy" and in which they "can glory before [God]."[29] Because the person never entirely escapes the clinging motivations of the old man in this life, all human works are accomplished in a situation of incompletion and under the cloud of the present age.

By rejecting the possibility of a sinless work, even by God's grace, Luther is focusing on a dispute familiar in these pages, the question of what sin is. He clearly defines "sin," limiting it to a single meaning: "Sin is truly nothing other than that which is not according to God's law."[30] Luther's insistence on this definition of sin is, in a sense, made possible because he is not committed to the axiom that if God's mercy did not truly remove sin now, God's justice would of necessity condemn sinners eternally. Instead, God does and will truly remove sin, but for now, the human remains a creature subject to the effects of sin, if not its rule, by God's mercy. This definition is clearly

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[27] He cites Ps 143:2, Rom 2:6, Job 9:22, Ps 44:17–18; and Jeremiah 49:12 and other texts here.

[28] With the usual exception for the Blessed Virgin and her Son.

[29] Ibid 79.21–25. "nec indigent tua misericordia ignoscente, … In hoc gloriari coram te possum."

[30] Ibid. 83.26–29. "In primis, peccatum non multis, sed uno simplicissimoque modo in scripturis accipi non dubites, nec sinas per Sophistas multioloquos hoc tibi extorqueri. *Peccatum vero aliud nihil est, quam id quod non est secundum legem dei*."

This Luther directly opposes to Latomus' fourfold interpretation of "sin" in scripture: "First, the cause of sin, Second, its effect or punishment, Third, as sacrifice for sin, and fourth for the fault itself by which the soul is made guilty." Ibid 82.21–23. "Primo pro causa peccati, Secundo pro effectu seu poena, Tertio oblationem pro peccator, Quarto pro ipsa culpa quo anima rea fit."

central to the dispute, for each man wrote that the other understood nothing about the

relationship of sin and grace.[31]

Luther's engagement with Latomus on this point would be easy enough to reduce

to a difference between a forensic and a transformational understanding of justification.

But to do so would be to severely truncate Luther's own writing. In the *Antilatomus*,

Luther writes that there are "two sides of justification: the forensic and the effective."[32]

The human is both named just by God and is to progress towards that holiness that will

always remain a gift. In Luther's memorable image from this text, sin is a robber,

imprisoned by God and therefore unable to terrify the countryside.[33] After baptism, "it is

truly sin in us by its nature, but in substance, not in quantity, nor quality, nor action, for it

is truly entirely passive."[34] Like the robber in his cell, it can merely cajole the guards to

conspire with him, for it is restrained from doing its own evil. This is not a static

situation; Luther is too careful a reader of Paul for that. This sin must be removed daily

until it is eradicated.[35] Failure to progress in holiness is the same as capitulation to sin.[36]

The (caged) robber still has the power of its voice, and therefore the Christian finds in

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[31] Vercruysse, 532.

[32] Anna, Vind,"Ein Streit um Worte: Luther versus Latomus," *Neue Zeitschrift für Systematische Theologie und Religionsphilosophie* 46, no.4 (2004): 450.

[33] WA 8:91.18–40. He extends the metaphor by asking how Christ secures this robber, interpreting Is 11:5 ("Justice shall be the band around his waist, and faithfulness a belt upon his hips") to suggest that it is precisely faith (*fides*) and justice (*iustitia*) that form the chains by which Christ constrains sin in the Christian.

[34] Ibid 91.35–38: "Ita peccatum in nobis post baptismum vere peccatum est naturaliter, sed in substantia, nec in quantitate, nec qualitate, nec actione, in passion vero totum." As Pesch comments, Luther admits freely in the text that he and Latomus agree that "after baptism sin no longer harms the baptized, so long as he 'doesn't consent' (Latomus), or 'never ceases to fight against it' (Luther). … The Question and the point of dissention is only whether sin after baptism does not divide from God *because of its nature* or for other reasons." This is what Luther seems to be arguing with his use of substance language, i.e. that the remaining sin is still sin although God does not account it as such and it is restrained from harming the baptized. Pesch, "Simul iustus et peccator," 156.

[35] Ibid. 93.3–7.

[36] See above, p. 254.

herself something that is contrary to God's law, which is not as it will be in the final remaking of all things. And this, Luther calls "sin" though of itself it does not separate from God's mercy.[37]

Before moving on from this text, its role in one contemporary inter-Lutheran discussion deserves mention. This ongoing conversation between the Finnish and German schools of interpretation asks how Christ effects justification in the sinner. The Finns have been arguing that the human being is truly made just by faith because "if through faith we really participate in Christ, we participate in the whole Christ, who in his divine person communicates the righteousness of God."[38] *Against Latomus* has been important to this interpretation because of how Luther develops his explanation of cleansing from sin.[39] He distinguishes between gift [*donum*] and grace [*favor*]:

> The just and faithful person certainly has grace [*favor*] and gift [*donum*]: grace, which makes him entirely acceptable, such that his person be entirely pleasing and there be no room remaining for wrath in him; [it is] the gift, however, that heals him from sin and from all corruption of body and soul. It is most impious, therefore, to say that the baptized remains in sin or is not forgiven fully of all sins. … All is forgiven through grace, but not all is yet healed by the gift.[40]

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[37] He recognizes that there is some equivocation at stake, but argues that the terms as used by Latomus, while they may follow the usage of the Fathers, do not comport with Paul's terminology and are more likely to lead the Christian to trust in herself, and not take the distructive power of those whispers seriously. Like Tolkein's Saruman trapped in his tower, the power of its voice means that it is still dangerous. If it is released, it will return to its robbery and entrap the Christian once again.

[38] Carl E. Braaten and Robert W. Jenson, "Preface: The Finnish Breakthrough in Luther Research," in *Union with Christ: The New Finnish Interpretation of Luther*, ed. Carl E. Braaten and Robert W. Jenson, (Grand Rapids: Eerdmans, 1998), viii.

[39] So, Tuomo Mannermaa, *Christ Present in Faith: Luther's View of Justification,* (Minneapolis: Fortress, 2005), 19f.

[40] WA 8:107.13–22. "Iustus et fidelis absque dubio habet gratiam et donum: gratiam, quae eum totum gratificet, ut persona prorsus accepta sit, et nullus irae locus in eo sit amplius, donum vero, quod eum sanet a peccato et tota corruptione sua animi et corporis. Impiissimum ergo est dicere, baptisatum esse adhuc in peccatis , aut non esse omnia peccata plenissime remissa. … Remissa sunt omnia per gratiam, sed nondum omnia sanata per donum."

Nor can the two be separated, precisely because Luther considers sin in the baptized to be truly sin. While "grace certainly considers no sin [to be] there," the gift, which is Christ himself, "does find sin, which it purges and conquers, for a person neither pleases *nor has grace*, except for the sake of the gift that works in this way to purge sin."[41] The Christian has a part in this work, for "God does not save imaginary sinners, but real ones, and *teaches us to mortify real sins.*"[42] Later we will engage the question of whether the *simul* is best understood as two overlapping totalities (*totus iustus-totus peccator*) or as also describing a dividing line within one person (*partim iustus-partim peccator*). Here Luther's emphasis on Christ's work, in which we must cooperate, means that the latter option cannot be entirely dismissed as having no part in Luther's theology.[43]

Law and Gospel: Lectures on Galatians (1531)

To engage Luther's mature theology of justification, I will now turn to his *Lectures on Galatians* (1531). Other choices would be possible, especially his *Lectures on Genesis*.[44] I am choosing the earlier *Lectures on Galatians* because these are not only

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[41] Ibid., 107.32–35. Emphasis added.

[42] Ibid., 107.35–36. Emphasis added.

[43] The question of what role the Christian must play in working out his own salvation is important, but must be bracketed here for the sake of brevity. See Vink, 458-62. On the topic, the JDDJ points to the LK *Rechtfertigung*.III.3; JF §156; PCPCU *Gutachten*, 22; and the position paper of the VELKD on LK 84.3–8.

[44] These lectures, which Luther gave over the last decade of his life, had received little scholarly attention until recently, in part because influential studies by Erich Seeberg and Peter Meinhold in the 1930s argued that the published lectures had only a poor connection to the actual lectures of the Reformer. Erich Seeberg, *Studien zu Luthers Genesisvorlesung* (Gütersloh: Bertelsmann, 1932); and Peter Meinhold, *Die Genesisvorlesung Luthers und ihre Herausgeber* (Stuttgart: W. Kohlhammer, 1936). Recently, however, several scholars have profitably reengaged the lectures and found in them a rich source of the older Luther's thought. See particularly John A. Maxfield, *Luther's Lectures on Genesis and the Formation of Evangelical Identity*, (Kirksville: Truman State University Press, 2008); Mickey L. Mattox, *Defender of the Most Holy Matriarchs: Martin Luther's Interpretation of the Women of Genesis in the Enarrationes in Genesin, 1535-45*, (Leiden: Brill, 2003); Jonathan D. Trigg, *Baptism in the Theology of*

helpful in understanding Luther's thought, but unlike the Genesis lectures, they remained influential in Lutheran engagement with justification and post-baptismal sin.[45] They are famously cited in the Formula of Concord as providing an exposition of the Lutheran understanding of sin in the Christian.[46] In the contemporary debate they are also central: Mannermaa's foundational work, sometimes read as condemning the Formula of Concord,[47] understands itself to be building on these lectures.[48]

Luther's preface to the *Lectures on Galatians* offers a short, unified insight into his description of the justification of the sinner and the state of Christian life after baptism. It also provides the classic exposition of Luther's differentiation between the law and the gospel and relates this to sin in the baptized. This law/gospel dynamic is difficult to engage well, and disputes about it are current in intra-Lutheran discussions.[49]

Martin Luther, (Leiden: E.J. Brill, 1994). Trigg's book in particular is relevant to the present study in its engagement with the renewal of the Christian in baptism.

[45] Martin Luther, *In epistolam S. Pauli ad Galatas Commentarius ex praelectione D. Martini Lutheri collectus*, WA 40, 2 vols.

[46] FC SD.III.28. It should be remembered that the Formula of Concord itself, while an important Lutheran confessional document and authoritative for many Lutheran churches, is not understood to be authoritative by all LWF member churches.

[47] See Javier A. Garcia, "A Critique of Mannermaa on Luther and Galatians," *Lutheran Quarterly*, 27 (2013): 34. Others making similar critiques include Timo Laato, "Justification: The Stumbling Block of the Finnish Luther School," *Concordia Theological Quarterly,* 72, no. 4 (2008): 329–7–46; Carl R. Trueman, "Is the Finnish Line a New Beginning? A Critical Assessment of the Reading of Luther Offered by the Helsinki Circle," *Westminster Theological Journal* 62 (2003): 242-3.

[48] Mannermaa, *Christ Present*, 3–6. Mannermaa does critique the FC on the matter of *inhabitatio Dei*, although he understands its own citation of the Galatians lectures as pointing to how it can be more fully interpreted. At stake in the argument are a number of issues, not least of which is the question of the kind of authority which the confessions bear. Some Lutherans assert that because the Book of Concord is a proper explanation of the Gospel, it is to be treated as authoritative, while others say that while these documents do bear authority as interpretations of the Gospel, they are not wholly infallible and may need ongoing critique and correction to comport more fully with the Gospel of Christ. Notice above (n.3) that LWF's constitution lists the scriptures as finally normative and the AC and the Small Catechism as pure explanations of the word of God, but does not explain what implications are to be drawn from this. Nor does it list the FC bearing this authority, although some LWF churches do so list it in their own governing documents. Cf. ELCA Constitution §2.02–07 Available at http://goo.gl/yOcXYf. Accessed September 10, 2014.

[49] For example, Javier A. Garcia, in critiquing Mannermaa's interpretation of Luther, faults him for so emphasizing participation in Christ that he both deemphasizes the salvific effects of the cross (in

In this work, Luther states that both law and gospel remain binding for humans as long as they are in the flesh, although in different ways and to different purposes.[50] Each has its own proper righteousness: the righteousness of the law consists in obeying the commandments; by it humans are unable to merit salvation. Nevertheless, in a Christian, the law should "have dominion over the flesh that is subjected to it and remains under it."[51] Christian righteousness, however, transcends this former righteousness and has dominion over the Christian's conscience. Through baptism, the Christian can say to the law: "I am baptized and called by the Gospel to a communion of justice and eternal life, to the Reign of Christ, in whom my conscience reposes, where there is no law, but pure forgiveness of sins, peace, quiet, joy, health and eternal life."[52] The Christian participates in both because he has a share in both the old man (through the flesh) and the new man, i.e. Christ, through baptism.[53] In setting up the law/gospel distinction, Luther asks how the Christian is "not under the law? According to the new man to whom the law does not apply. It had its own limits until Christ as Paul says later: 'The law up to the time of Christ.'"[54]

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favor of the incarnation) and neglects "the main project of Luther's preface [to the Galatian's lectures]… to introduce the distinction between law and gospel, a theme that dominates the rest of the commentary." Garcia, "A Critique of Mannermaa," 36.

[50] WA 40i:48.21. "Ita utrumque manet dum hic vivimus."

[51] Ibid. 50.26–27. "sed tantum habere dominium in carnem quae et ei subiecta sit et sub ea maneat."

[52] Ibid. 51.14–17. "Sum enim Baptisatus et per Evangelium vocatus ad communionem iustitiae et vitae aeternae , ad Regnum Christi, in quo cquiescit concientia mea, ubi nulla lex est, sed mera remissio peccatorum, pax, quies, laetitia, salus et vita aeterna."

[53] This description may be challenged by some Lutheran readers. It seems at times that Forde reads Luther's engagement with the old man to properly mean the death of the person themselves, rather than their non-participation in Adam and the old order. See below, p. 297.

[54] Ibid. 45.20–22. "Quomodo non sub lege? Secundum novum hominem ad quem lex nihil pertinent. Habetenim suos limites usque ad Christum, ut Paulus infra dicit: 'Lex usque ad Christum.'"
    Here is a potential answer to both of Garcia's critiques (see n.47, p. 260): the Christian is made one with the new man, Christ, in whom the law ends because of Christ's death and resurrection. The

The double jurisdiction over the Christian with which Luther began the preface sets up the double vision of the law/gospel distinction. The Christian is considered from two different points of view: before God because of Christ, and in herself. From the first perspective, she is righteousness because of God's grace in seeing Christ's obedience as hers. Having died with Christ, she is free from the law. From the second perspective, she is a sinner worthy of God's damnation, and the law retains its hold on her so long as she is in the flesh. The law condemns her sin and calls her to do better. This, however, is not the forum in which her justification is judged. She is likewise called —and is able— to do great works because of her participation in Christ. These will never be the cause of her salvation. Luther ends the preface with a depiction of the justified Christian:

> When I have this [justice] within me, I descend from heaven just like the rains fructifying the earth, that is: I go forth into another kingdom and do whatever good works come to mind. If I am a minister of the word, I preach, console the faint of heart, and administer the sacraments; If I am a head of household, I rule the household and family, I educate the children in piety and honesty; if a magistrate, I perform the office committed to me by divine commission; if a servant, I attend faithfully to my master's affairs; In sum, whoever knows surely that Christ is his justice not only labors at his calling in joy and with spirit, but for the sake of love he submits himself in everything to the magistrate, even to their impious laws, and [submits] to every piece of this present life, even —should it be required— to burden and danger. For he knows that God desires this and that such obedience pleases him.[55]

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incarnation and the crucifixion are therefore not to be opposed to each other. If Mannermaa argues that the incarnation allows humans to have union with Christ, it is for the sake of the salvation which is offered to the world through the whole of the Christ event. Nor is this a new theological development. The kenosis hymn of Philippians 2, as but one scriptural example, narrates Christ's saving obedience as an obedience that leads to his "taking the form of a slave and coming in human likeness" *and* to "becoming obedient to death, even death on a cross" (Phil 2:27–8). That this kenotic obedience finds a parallel in Luther's description of the redeemed Christian at the end of the Preface of the Galatians Lectures is not to be overlooked.

[55] WA 40i.51.21–31. "Hanc cum intus, descendo de coelo tanquam pluvial foecundans terram, hoc est: prodeo foras in aliud Regnum et facio bona opera quaecunque mihi occurrunt. Si sum minister verbi, praedico, consolor pusillanimes, administro sacramenta; Si paterfamilias, rego domum, familiam, educo liberos ad pietatem et honestatem; Si Magistratus, officium divinitus mihi mandatum facio; Si servus, fideliter rem domini curo; Summa, quicunque certo novit Christum esse iustitiam suam, is non solum ex animo et cum gaudio bene operator in vocatione sua, sed subiicit se quoque per charitatem magistratibus,

In short, the Christian who is united with Christ is not merely named just in such a way as to leave her life unchanged. Nor is that change a secondary and separate thing. Precisely because she is united with Christ and has his justice "within her," she becomes as Christ, obedient to the Father in all things, even potentially to death on a cross.

Although the Christian will never in this life be free of sin and deserve salvation apart from Christ, she is nevertheless promised it. The law will continue to judge her efforts as insufficient; the Gospel will continue to speak God's promise to her. But because of Christ's indwelling, because of the justification offered to her apart from her works, she is also being healed.[56] The sinner is, in a sense, *simul totus iustus* (by God's consideration through Christ) *et totus peccator* (considered from the perspective of the flesh) *et partim peccator partim iustusque* (because by Christ's action sin's hold is lessened over time as it is uprooted). The dividing line between the sinful and redeemed self ought to move as Christ puts the remaining, "ruled" sin to death in the Christian, a work that will not be completed in this life. How this might be conceptualized will be described below as it is at work in the JDDJ.

Confessional Statements

The phrase *simul iustus et peccator* and its variants (such as *peccator in re, iustus in spe*)[57] do not occur in the Book of Concord.[58] Nevertheless, as has been shown, the

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etiam impiis legibus eorum, et omnibus praesentis vitae, si res ita postulet, oneribus atque periculis, Qui scit Deum hoc velle et ei placer hanc obedientiam."

[56] Mannermaa argues that this is precisely because it is Christ who is both *favor* and *donum*, and Christ cannot be divided. Therefore, the imputation which the *favor* provides is itself the beginning, cause, and ongoing power of the renewal of the Christian by which the old Adam is put to death and the Christian is more closely unified with Christ. See Mannermaa, *Christ Present in Faith*, 57.

[57] This version is found in Luther, especially in the Romans Lectures, WA 56:269.30.

idea is present that the Christian, although justified in baptism, still has remaining sin.

Two short engagements with the Book of Concord will suffice: first, with the description

of baptism and penance in the Small Catechism; second, with the first article of the

Formula of Concord.

The Small Catechism

Luther's Small Catechism, written in 1528–29, is, along with the Augsburg

Confession, one of the two works to which the LWF constitution requires subscription for

membership.[59] It has served as a catechetical tool, often through memorization, since its

publication. While simple, it is central to Lutheran thought. It follows the pattern of many

late-medieval catechisms, and includes sections on the 10 Commandments, the Apostle's

Creed, the Lord's Prayer, and the Sacraments of baptism and eucharist. As a catechetical

and liturgical work, it does not delve into controversies with Roman Catholics or other

groups, but does provide a look into what the Christian life is supposed to be.

Commenting on baptism, after describing the action of the sacrament, Luther asks

what the sacrament's significance is, and answers

> It signifies that the old creature [*der alte Adam* / *vetus Adam*] in us with all sins
> and evil desires [*bösen Lüsten* / *concupiscentiis*] is to be drowned and die through
> daily contrition and repentance [*Reu und Buße* / *mortificationem ac
> poenitentiam*], and on the other hand that daily a new person is to come forth and

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[58] James A. Nestingen makes a case that Luther's allocution regarding the third article of the creed in the Small Catechism "I believe that by my own understanding or strength I cannot believe in Jesus Christ my LORD or come to him, …" (Martin Luther, Small Catechism, *Creed*, 6. Kolb/Wengert translation.) represents another instance of Luther's logic in the *simul*. This contention does not seem to influence the present discussion. "The Catechism's Simul," *Word & World* 3, no. 4 (1983): 364–72.

[59] See n. 5, p. 250 above.

rise up [*auferstehen / resurgere*] to live before God in righteousness and purity forever.[60]

The Christian is inaugurated by baptism into a life of struggle against sin in which a frequent return to Christ in repentance is necessary.[61] The Christian is a creature *in via*, for in baptism the old Adam "is to be drowned and die through daily contrition and repentance" that is, it is an ongoing work that remains to be completed.[62]

It is no accident that, after pointing the reader to the Letter to the Romans for confirmation, Luther next asks "how simple people are to be taught to confess" and provides a form for confession. The ongoing struggle against sin means that the Christian will be aware of particular sins for which they should repent. After the confession, Luther has the confessor say to the penitent:

> "God be gracious and strengthen your faith. Amen. …
> Do you believe that my forgiveness is God's forgiveness?"
> [Answer:] "Yes, dear sir."
> Thereupon he may say: "Let it be done for you according to your faith." And I by the command of our Lord Jesus Christ forgive you your sin in the name of the Father and of the Son and of the Holy Spirit. Amen. Go in peace."[63]

The penitent is told that the confession is of two parts, first, confession, and second, receiving absolution, which is to be firmly believed.[64] In this, the Christian, on the path of justification by God's grace in Christ, is both recognized as a sinner in need of confession, but also described as one who is on the path of justification. Confession

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[60] Martin Luther, Small Catechism. *Baptism*.12. Kolb/Wengert translation.

[61] As Jonathan Trigg comments, "Progress in the Christian life can never be progress away from the beginning of baptism, but a repeated return to it. Thus Luther interprets the sacrament of the keys, not as a new stage in the Christian pilgrimage, or as a dispensation of new grace, but as a continual return to baptism." Trigg, *Baptism in the Theology of Martin Luther,* (Leiden: E.J. Brill, 1994), 96.

[62] Both the Latin and the German word this in terms of an "ought." The old Adam "soll ersäuft warden und sterben…" or "debet subinde per mortificationem…" It remains a work to be accomplished by Christ in the Christian's life.

[63] Luther, Small Catechism, *Baptism*.26–28.

[64] Ibid., 16.

fulfills a necessary aspect of that path: daily contrition and repentance. By daily

contrition, the Christian returns to Christ whose justice he receives as the gospel and

Christian righteousness, and by whose indwelling he is able to begin to fulfill the

demands of the law.

The Formula of Concord

The Formula of Concord (FC), drafted progressively throughout the 1570s and

signed in 1580, was intended as a solution to intra-Lutheran disputes that had arisen in

the decades since Luther's death in 1545. The formula was accepted "by about two-thirds

of the Evangelical churches of Germany and was then incorporated as the concluding

document of the Book of Concord."[65] It is divided into two parts, the Solid Declaration

and an abbreviated version called the "Epitome."

In the first Article, "On Original Sin," the Solid Declaration seems to exemplify

the difference with which this chapter and the previous have to wrestle. Unlike the

Catholic insistence that only the material and tinder of sin is left in the baptized, the

Formula does not distinguish between original sin in the unbaptized and in the baptized.

Indeed,

> Christians [should] regard and recognize as sin the actual violation of God's
> commandments in their deeds, but they should also perceive and recognize that
> the horrible, dreadful, inherited disease corrupting their entire nature is above all
> actual sin and indeed is the 'chief sin.' It is the root and fountainhead of actual
> sins. Luther calls this a 'nature-sin' or a 'person-sin,' in order to indicate that even
> if a human being thinks, says, or does nothing evil (which is, of course, after the
> fall of our first parents, impossible for human nature in this life), nevertheless our
> entire nature and person is sinful, that is, totally and thoroughly corrupted in
> God's sight and contaminated by original sin as with a spiritual leprosy. Because

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[65] Kolb/Wengert, "Introduction to the Formula of Concord," 484.

of this corruption and on account of the fall of the first human beings, God's law accuses and condemns human nature and the human person. Therefore, Luther concludes, we are 'by nature children of wrath,' of death, and of damnation, if we are not redeemed from them through Christ's merit.[66]

If it weren't for the first sentence, the Catholic reader would be tempted to read this as a description of the unredeemed, those who have not yet been baptized into Christ's paschal mystery. To predicate this kind of sin of Christians would seem to unmake their salvation. Continuing, however, the reader will notice that the Christian is not to conclude that he is separated from God, but only that his renewal is not yet complete, he has not yet, to borrow Trent's language, been made into the final form of his justice. Far from being a counsel of despair, this description of sin is intended to ever again orient him to Christ.

> This inherited defect is so huge and abominable that it can be covered and forgiven in God's sight in those who are baptized and believe only for the sake of our Lord Christ. Only the new birth and renewal of the Holy Spirit can and must heal this deranged, corrupted human nature. This renewal only begins in this life; it is finally completed in the life to come.[67]

Here we see a description of the Christian as *simul iustus et peccator*. He is heir to a spiritual disease that not only makes him commit actual sins himself, but is itself worthy of damnation. Even the Christian is to recognize this disease in himself, although not in its untreated state. Although baptism and renewal heal its corruption, and in a sense can be said to have already done so, its healing never comes to completion in this life.

This teaching must be read in light of the third article of the Formula, "On Righteousness." The Formula maintains a strict separation between justification and regeneration understood as making a person righteous. It therefore describes a fairly pure

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[66] FC.SD.I.5–6.

[67] Ibid., 14.

form of a forensic justification of imputed righteousness. Although this forensic justification does result in a real transformation, the Formula insists that the two must be sharply distinguished so as to avoid confusing law and gospel. The authors of the Formula worry that such confusion will lead Christians to trust in their own deeds for salvation.[68] The teaching of the Solid Declaration, then, provides a kind of pure *totus-totus* understanding of the *simul* regarding justification. It does not rule out progress in sanctification, and thus the Christian might be said to become more holy. Luther himself clearly says this in the Galatians commentary, which Article III recommends as a "wonderful, magnificent exposition" of the Evangelical doctrine.[69] Standard readings of the Formula, however, understand it to require a strict separation between justification and sanctification. Its status as a confessional document gives this interpretation real weight.

The Formula has provided a locus of debate among Lutherans, precisely because of its strictly forensic definition of justification. Recently, Tuomo Mannermaa has argued that its reference to Luther's Galatians Commentary leaves room for reinterpreting the teaching of the Formula in light of what he sees as Luther's uniting of grace and gift in the person of Christ.[70] More traditional exegetes of the German school have strongly doubted that his interpretation can be squared with the Formula itself and repeat its worry

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[68] So, FC.SD.III.38–39: "That the only function or characteristic of faith remains that it alone and absolutely nothing else is the means or instrument by and through which God's grace and the merit of Christ promised in the gospel are received, laid hold of, accepted, applied to us, and appropriated. … That neither renewal, sanctification, virtues, nor good works are to be viewed or presented *tanquam forma aut pars aut causa iustificationis*. They are also not to be mixed into the article of justification under any other pretense, pretext, or terminology. Instead, the righteousness of faith consists alone in the forgiveness of sins by sheer grace, because of Christ's merit alone."

[69] Ibid., 67.

[70] Tuomo Mannermaa, *Christ Present in Faith*, 4–6.

about mingling law and gospel.[71] These questions, and therefore the relationship between the Formula and Luther's lectures on Galatians, cannot be answered in this brief overview, although the tensions and their contributions to the JDDJ will be examined below.

Contemporary Systematic Questions

Contemporary Lutheran theology is developing along two major trajectories, both of which exerted influence on the Joint Declaration.[72] These schools posit different understandings of the mechanism by which God justifies Christians. Their different understandings produce different emphases related to the *simul iustus et peccator*, a phrase both groups share. In this section, I will highlight several of the issues at stake, specifically how justification is understood to relate to the Christian in history and how justifying faith is to be understood, before I show how these affect the interpretation of the *simul*. The German school will be shown to emphasize an understanding of the *simul* as *totus iustus-totus peccator*, while the Finnish school will add to this an understanding of the Christian as *partim iustus-partim peccator*. These emphases parallel the schools' engagements with the relationship between justification and sanctification rooted in their different theories about God's work in the Christian.

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[71] See discussion below, p. 285.

[72] Admittedly, a phenomenon as complex as contemporary Lutheranism has more than two major schools of thought that are currently developing. In the US, for example, we can speak of "Evangelical Catholic Lutherans," "Radical Lutherans," and "Confessional Lutherans," as three major theological schools. One overarching distinction across contemporary Lutheranism, however, is the question of how justification and sanctification are said to relate to one another, and it is this question that the present distinction names. The German school keeps them separate, while the Finnish are more willing to speak of their interrelation.

Justification as State and as Trajectory

Despite its widespread presence in Luther's writings, the *simul* can be said to be "a discovery of the twentieth century," as Wolf-Dieter Hauschild has argued, because it is not until the twentieth century that the phrase came to be used as a systematic tool for ordering Luther's theology in light of his theory of justification.[73] This history is interesting not only because it demonstrates that this widely-assumed understanding of Luther is a recent development, but also because it illumines particular assumptions about the *simul*. Specifically, attending to this history helps to understand the *totus-totus* and *partim-partim* readings in their proper history and therefore to help the theologian judge what Luther may have meant by the expression. This is particularly important for understanding the JDDJ because, as Pieter de Witte argues, the JDDJ's engagement with the *simul* is strongly marked by the Finnish insistence that both interpretations are necessary to understand Luther's teaching on justification.[74]

The rediscovery of the *simul* went through three stages. First, it was used by Catholic polemicists as an example of Luther's incoherence.[75] This can be set aside for the current project because these authors neither affect Lutheran interpretation of the *simul* nor correctly situate it within Luther's theology. Second, the phrase was picked up in the German *Lutherrennaissance*, and was given its major exposition in terms of a *totus iustus-totus peccator* model that draws heavily on dialectical theology. Its emphasis on a

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[73] Wolf-Dieter Hauschild, "Die Formel 'Gerecht und Sünder zugleich' als Element der reformatorischen Rechtfertigungslehre – eine Entdeckung des 20. Jahrhunderts," in Schneider and Wenz, *Gerecht und Sünder zugliech?*: 303–49.

[74] Pieter de Witte, *Doctrine, Dynamic, Difference*, 198–200.

[75] Specifically, H. Denifle and H. Grisar. See Hauschild, "Die Formel," 316–18.

purely forensic justification separates growth in holiness strictly from the justification of the sinner. This is often paired with an insistence that the "faith" by which the Christian is saved can only be described as trust [*fiducia*]. The Christian truly remains unaltered by her justification by God, passively trusting that the promised salvation will come in the future. The Christian in this model is properly made holy after history rather than within it.

More recently, a Finnish school of Luther interpretation has developed a different interpretation of the Reformer. It attempts to demonstrate that the standard German interpretation is overly-influenced by neo-Kantianism and therefore misinterprets Luther himself. They interpret Luther's theology of justification in terms of a union with Christ, as a kind of *theosis*. The *simul* maintains a forensic *totus-totus* aspect, because the completion of justification remains a promise whose endpoint is in the future. The Christian is, therefore, *peccator in re, iustus in spe*, for she awaits her final justice.[76] But the Finns insist that the *simul* must also describe the Christian as growing in holiness because the grace by which the Christian is justified and the gift by which she is sanctified are one: the Lord Jesus to whom she is joined. This requires understanding the Christian also as *partim iustus* and *partim peccator*. These two schools of Luther interpretation are both highly active in contemporary Lutheranism. The dialogue between them both illuminates the solution of the JDDJ and explains many of the criticisms levied against it.

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[76] WA 56:269.30.

Faith: Assensus, Fiducia, Donum Christi

It will be helpful to first clarify the question of how to understand the faith through which Christians are justified. Given the centrality of faith in Luther's account of justification, this is no small question. It is also central to the Joint Declaration.[77] Ted Peters delimits three different possible Lutheran interpretations of justifying faith: "(1) faith as belief; (2) faith as trust; and (3) faith as the indwelling presence of Christ."[78] Of course, no theological definition need choose one of these at the expense of the others. Faith can be defined to include all of these, even if theological weight is given to one or the other. But some theologies, specifically when considering *justifying* faith, do emphasize one or the other option to the exclusion of the others. In particular, theologians who insist on a purely forensic account of justification tend to limit justifying faith to *fiducia*, Peters' second sense. These theologians do not see "human powerlessness … in relation to justification" as a problem to be overcome by God's grace.[79] Instead, for them it is the solution to the problem of assurance. Because humans are powerless, they can only trust in God, and are thus freed from having to strive to earn God's favor in any way. This version of Lutheran theology emphasizes trust in Christ to the extent that it drives out any possibility of human cooperation or even "any 'transcendental' view on grace, which emphasizes the non-exclusivity of grace and human action."[80] Any expectation that justification should produce a renewal in humans could be understood as

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[77] The very purpose of the JDDJ includes articulating "a common understanding of our justification by God's grace through faith in Christ" §5.

[78] Ted Peters, "The Heart of the Reformation Faith," *Dialog* 44, no. 1 (2005): 6.

[79] JDDJ 4.1 *Title.*

[80] Pieter de Witte, *Doctrine, Dynamic, Difference,* 192.

an attempt to wrest control from God and thus as a repetition of the sin of Adam and Eve.[81]

Such an interpretation may require rejecting the JDDJ. It would likely cause dissatisfaction with the description of §§31–33 and Annex §2 C–E with good cause. Also, as de Witte notes, if a theologian holds "that the human being is saved by *fiducia* alone, canon 20 [of session VI of the Council of Trent] indeed applies to them."[82] Wilfried Härle argues that this fiduciary understanding of faith, which he holds to be the Lutheran position, is also condemned by canons nine and twelve of the same session.[83]

One of the ways of reading the difference between the Germans and the Finns is as precisely the difference between a merely fiduciary and a fiduciary-transformational account of justification. The JDDJ's final version, while it draws from both Finnish and

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[81] A similar claim is made by Jorg Baur and Notger Slenczka, "Lutherische Rechtfertigungslehre ohne das 'Simul iustus et peccator'?"*epd-Dokumentation* no 43/99, (1999), 3–4.

[82] Pieter de Witte, *Doctrine, Dynamic, Difference*, 204. That canon reads: "If anyone says that a justified man, however perfect he may be, is not bound to observe the commandments of God and of the Church but is bound only to believe, as if the Gospel were merely an absolute promise of eternal life without the condition that the commandments be observed, *a.s.*" DH 1570.

[83] Wilfried Härle, "Lutherische Formeln – tridentinisch interpretiert," *epd-Dokumentation* no. 43/99(1999):5. Available at http://goo.gl/a1xlEX. Accessed September 19, 2014. Härle points to Annex §2C as supporting canon 9, and to what he sees as a remaining unclarity in the JDDJ about the meaning of faith [*glaube*], that leaves the Tridentine condemnation of *sola fiducia* in place. This seems to be a reasonable reading of both the JDDJ and the council. The pertinent canons read as follows:
Can. 9: "If anyone says that the sinner is justified by faith alone in the sense that nothing else is required by way of cooperation in order to obtain the grace of justification and that it is not at all necessary that he should be prepared and disposed by the movement of his will, a.s." DH 1559
Can. 12: If anyone says that justifying faith is nothing else than confidence [*fiduciam*] in the divine mercy that remits sins on account of Christ or that it is this confidence alone that justifies us, a.s." DH 1562.
Another question that remains is that of what has changed since the sixteenth century. Have Lutherans recently reclaimed a more medieval interpretation of Luther instead of one which sought to root out any possible remaining Catholic tendencies? Or have Catholics grown to appreciate existential thinking in addition to (or in replacement of) their prior ontological thinking. O. H. Pesch clearly thinks some of the latter has happened, although not in a way that negates Trent. Pesch, "*Simul iustus et peccator*," 165. Pieter de Witte questions the strength of categories that Pesch leans so heavily on in articulating the difference between Catholics and Lutherans. De Witte argues that the "existential" is always assumed by the "sapiential," and thus in twentieth century ecumenical discussions, most of the movement towards consensus has been on the Lutheran side. *Doctrine, Dynamic, Difference*, 229–31. His assessment seems mostly reasonable, as long as the genuine movement of Catholic theology away from its former polemical positions is also acknowledged.

German suggestions for improvement, emphasizes trust in God while also insisting that the justification of the Christian has real effects in their life in history.

German Model (totus-totus)

As noted above, the discovery of the *simul* as a systematic principle for ordering Luther's theory of justification dates to the early twentieth century, particularly among theologians who can be described as *Lutherrenaissance* or dialectical theologians.[84] In its purest form, the picture that emerges is of the Christian as one who has received an entirely alien righteousness by imputation alone. Here, trust in Christ allows the Christian to exist in hope of a future sanctification on the basis of a past promise constituting his justification. The Christian is truly *totus peccator (in re),* and *totus iustus (in spe)*. There are, however, at least two positions that can lead to this same allocution, one attempting to keep the Christian from trusting himself instead of Christ, and the second insisting that the remaining presence of sin in the Christian means that his life is not renewed this side of heaven. The first makes THE CHRISTIAN IS A SINNER a double-scope blend, the second a single-scope blend with the field of meanings determined by SINNER. In other words, in the first, the Christian's life is interpreted in terms of the frames provided by *both* Christian justice *and* inadequacy under the law. In the second, sin determines the field of

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[84] An excellent book-length study of the question of how God's work in the Christian through Christ is understood by these theologians is provided by Risto Saarinnen, *Gottes Wirken auf uns: Die tranzendentale Deutung des Gegenwart-Christi-Motivs in der Lutherforschung.* (Veroffentlichungen des Instituts für Europaische Geschichte, Mainz, vol. 137; Stuttgart: Franz Steiner Wiesbaden, 1989). A specific engagement with the development of the *simul* in these theologians is found in Wolf-Dieter Hauschild, "Die Formel 'Gerecht und Sunder zugleich.'"

meanings within this world; even Christian justice does not truly exist before the resurrection.[85]

The milder of these two positions finds any description of justification that does not entirely separate justification and sanctification to be in danger of leading the baptized person to trust in his own efforts instead of the gift of Christ.[86] It may be willing to speak of the necessary renovation of life that follows from justification, but will place a sharp dividing line between this and the justification of the Christian, at least in terms of a terminological distinction. Thus, for Jaroslav Pelikan, to read the *simul* as "*iustus in spe, peccator in re*" means precisely that justification and sanctification must be differentiated.[87] He emphasizes that the Formula of Concord rules out both Melanchthon's intellectualism that obscured "the relation between justification and sanctification," and Osiander's mysticism "in which the tension of *simul justus et peccator* was resolved by reference to a mystic union between Christ and the believer."[88] Pelikan links the formulation *iustus in spe* to the teaching that the *iustitia* under discussion is the *iustitia Christi* and as such does not yet belong to the person as

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[85] The same difference could be expressed as saying that the first represents a proleptic eschatology, while the second is properly futurist.

[86] Thus, FC.SD.II.32: "It is correct to say that in this life believers who have become righteous through faith in Christ have first of all the righteousness of faith that is reckoned to them and then thereafter the righteousness of a new obedience or good works that are begun in them. But these two kinds of righteousness dare not be mixed with each other or simultaneously introduced into the article on justification by faith before God. For because this righteousness that is begun in us—this renewal—is imperfect and impure in this life because of our flesh, a person cannot use it in any way to stand before God's judgment throne. Instead, only the righteousness of the obedience, suffering, and death of Christ, which is reckoned to faith, can stand before God's tribunal. Even following their renewal, when they already are producing many good works and living the best kind of life, human beings please God, are acceptable to him, and receive adoption as children and heirs of eternal life only because of Christ's obedience."

[87] Jaroslav Pelikan, "Doctrine of Man in Lutheran Confessions," *Lutheran Quarterly* 2, no.1 (1950): 42.

[88] Ibid., 43.

something proper to themselves. While Lutherans do sometimes speak as if the human is sinner now and justified later, Pelikan interprets this language as explicitly undercut by the synchroneity implied by the *simul*. The hope at stake here, then, must be that faith which the believer has in Christ which looks forward to its eventual freedom from all sinfulness. Thus, while justification and sanctification are separated terminologically, they must be related, for as Wenzel Lohff writes, "the *peccator in re* is *iustus in spe,* that is, in transcending hope …[which] grants a new beginning of lived-out salvation."[89]

For these theologians, then, there is no actual division between justification as promise and the renovation of life that it grants by God's grace in Christ through the Spirit. Because "sin is that which is not in accord with God's law," anything that is not in accord with that law makes the Christian a sinner and worthy of damnation, including the bound presence of concupiscence and any actual sins. The call to grow in holiness has as its endpoint the promise of complete sinlessness, but that endpoint remains on the other side of the resurrection.[90] For this position, there are still sins that can separate the Christian from Christ in this life: in particular, these are sins against faith, in which the Christian begins to trust in himself, ceases to ask forgiveness, and thus repeats the sin of Adam. One can recognize the resulting "feigned, dead faith" specifically because it has not resulted "in all kinds of good works and fruits of the Spirit."[91]

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[89] Wenzel Lohff, "Justification and Anthropology," *Currents in Theology and Mission*, 44 (1), 34.

[90] Again, here the endpoint is Augustine's description of final justice as *non posse peccare* ([being] unable to sin). Luther's insistence that baptism does not make the Christian truly *posse non peccare* (able not to sin), does not undercut the shared sense that the Christian life begun in baptism is a life of fighting against sin with its endpoint in the final justice of heaven. What differentiates Luther is his rigor in naming as sin not only that which of itself separates from God, but everything that does not live up to God's desire for the renewed Christian.

[91] FC SD III.42, summarizing the teaching of AAC IV.

The second position sets up an extreme dialectic which not only differentiates between justification and sanctification, but also insists that there can be no relationship between them; any attention to sanctification can only endanger the Christian's ability to trust in Christ alone. As any remaining sin makes the Christian a sinner, sanctification is an entirely future hope that takes place in heaven. This takes Luther's unwillingness to differentiate between kinds or grades of sin very seriously but does not attend to the implications he draws from the difference between "ruled" and "unruled" sin, that is, between sin in the Christian and in the unbaptized. Nevertheless, there are Lutheran theologians for whom any language of progress or gradation is entirely out of bounds and likely to encourage Christians to trust in their own progress for their salvation.[92]

One question that needs to be asked is the extent to which this latter understanding develops from a problematic methodological heritage of the *Lutherrenaissance*. Insofar as Luther's own work is interpreted as incompletely reformed, as containing remaining traditionalisms in need of purgation, the historical Catholic position can only be the foil against which a truly reformed theology is defined.[93] There will, therefore, be an unbridgeable methodological impasse between a theology that

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[92] One example, who will become important in what follows, is Gerhard Forde, an American Lutheran theologian who taught at Luther Seminary, St. Paul. The reason that such language is out of bounds is the nature of justification in Forde's view. Because justification is entirely God's work, Forde draws the conclusion that any discussion of a resulting change in the human can only be an attempt to wrest control from God, thereby rejecting the divine promise. Justification by faith, then, means that "Grace is the divine pronouncement itself, the morning star, the flash of lightning exploding in our darkness which reveals all truth *simultaneously*, the truth about God and the truth about us. Since righteousness comes just by divine pronouncement, by divine 'imputation' as Luther liked to put it, it cannot come either at the beginning or end of any of our schemes of 'movement.' It establishes an entirely new situation. It can be received *only* by faith, suddenly 'seeing' the truth." Gerhard Forde, *Justification by Faith: A Matter of Death and Life*, (Philadelphia, Fortress, 1982), 29. Justification by faith then, for Forde, is not union with Christ, or anything in the flesh at all – it is a new understanding, a change in God's mind that is grasped, *mentally* by the Christian.

[93] This understanding is present in several theologians, but is perhaps clearest in Erich Vogelsang. See Saarinnen, *Gottes Wirken*, 113–18.

insists on any reverence for the Tridentine canons and a theology which sees itself as Christian to the extent that it has overcome them.[94] Moreover, if Luther's reformation insight is incompletely developed in his own theology or in the Reformation theology of his time, then there is little basis on which to judge between contemporary Lutheran theologies, except in how far they have transcended the dead theologies of the past.

*The Finnish Luther School (*totus-totus *and* partim-partim*)*

The Finnish school's insistence that in Luther's thought "grace" and "gift" can be distinguished but not separated also means that the same is true of justification and sanctification. The Christian is still *totus iustus-totus peccator*, insofar as she is considered from the standpoint of justification, for she is saved entirely on account of Christ and her own being is never sufficient for salvation. But she is also *partim iustus-partim peccator* when considered in terms of the process of healing resulting from her union with Christ. This requires a differentiated understanding of sin that more closely approximates Luther's as described above. For Mannermaa, because the sin remaining in Christians is a ruled sin, they will feel desire, but need not "fulfill" it.[95] Even in cases where they do, he finds a distinction in Luther between such sin when it occurs "out of weakness" and "deliberately." The first is forgiven by God, but the second is not because

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[94] Elements of this impasse can be seen in the discussion regarding *fiducia* and the Tridentine canons, especially insofar as LK can be interpreted as suggesting that the Roman position has come to allow a purely fiduciary understanding of justifying grace, and thus overcoming Trent, as opposed to allowing for a fiduciary *and* transformative understanding, and thus developing it. See de Witte, *Doctrine, Dynamic, Difference,* 193.

[95] Mannermaa, *Christ Present in Faith*, 69. The Doctrinal Commission of the Evangelical Lutheran Church in Finland also shows that this distinction is present in the Lutheran Confessions in their response to the JDDJ. "Report" (March 31, 1998), Hauschild C.10.c.381. It references the Large Catechism, *Creed* 55, *Lord's Prayer* 107; and the Augsburg Confession II.38–40.

they no longer "regard sin as sin."[96] The latter truly deprives the Christian of the justice

he had formerly had in Christ, because he has ceased calling to Christ for mercy.[97]

The Lutheran Eschatological Visions: Outlining the Blends

That the Lutheran teaching has an eschatological aspect is clear; the Christian is

called *simul iustus et peccator* precisely because God's promise in Christ makes present

their final eschatological justice in a still incomplete way. The teaching would merely be

a counsel of despair without its eschatological horizon.[98] It is important to diagram the

blends by which this eschatological vision of the Christian is defined so as to both clarify

the Lutheran position for Catholics and to show Lutherans how their habitual forms of

expression are part of the differentiated consensus in the JDDJ. This section will be

somewhat more complex in its structure than the parallel section in the previous chapter

because there is not a single Lutheran vision of how the baptized Christian is to be

understood. Instead, there are several eschatological visions that have been incorporated

into the JDDJ and will require disentangling.

This section will proceed as follows: First, I will diagram the metaphoric blend

SIN in the two different ways Luther engages its definition. Next, I will describe the

implications of framing this blend for sin within Luther's distinction between law and

gospel. Finally, I will return to the Finnish and German schools of Luther interpretation

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[96] Ibid., 70–71.

[97] It is in this sense that the Finns interpret Luther's insistence that sinners are saved because they are sinners – only someone who recognizes his sin will place his trust in Christ for justification. This relates also to Luther's engagement with the question in the Lectures on Romans, see WA 56:269.30f.

[98] The phrase is often read in precisely this way by Roman Catholics, see ED §3, and even the Roman Response to the JDDJ. By treating the *simul* as a contradiction, the Roman Congregations are collapsing the eschatological tension into a single plane in which contradictories cannot both be true.

and describe the operative eschatological blends related to the *simul*. This will set up the following section, in which these positions will be traced through the Joint Declaration itself.

The Complex Lutheran Blend SIN

Luther's definition of sin, extensively operative in the Lutheran tradition, names sin to be "that which is not in accord with God's law."[99] Taken as an operative cognitive blend, this assertion not only explains why Lutherans describe concupiscence in the baptized as sin, but it clarifies the distinctively Lutheran *simul iustus et peccator* that underlies Lutheran eschatological descriptions of the baptized. The first thing the reader should notice is how much broader this metaphoric blend is than that generally assumed by Catholic theology when speaking of sin properly: SIN IS CAUSE FOR DISINHERITANCE. Luther's disinclination to systematically differentiate between what Catholics term mortal and venial sin, or between actual sin and concupiscence in the baptized is reasonable in his operative blend.[100] It would not be in the habitual Roman Catholic blend. In that context, it would imply that the Christian could not be saved and therefore that God's promise is empty.

Moreover, because ruled sin is experienced as being something that is part of the baptized, its very presence is evidence that the Christian is not yet what she is to become. Here, anything that is not fully redeemed and entirely purged of its fallen character is still

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[99] Luther, *Against Latomus*, WA 8:83.29: "id quod non est secundum legem dei."

[100] Luther, and Lutherans, as has been seen, have all of these distinctions (or at least functional parallels to them). What differs is that while venial sin and concupiscence in the baptized are merely analogously sin for Roman Catholics, they are proper members of the category in the Lutheran schema. See p. 211above.

properly sinful. This does not imperil the Christian's hope of salvation, because the presence of sin is not the only word to be said about the Christian. It is not even the most important thing to be said. In what seems to be a paradoxical turn-about from the Catholic viewpoint, precisely because the Christian experiences himself to be a sinner, he can hope in Christ and trust in the gift of salvation. Trusting in the promise of Christ means that the Christian is freed from having to reach the impossible standard of sinlessness and freed for the battle to finally kill sin that continues after it is caged.

This is precisely where the Lutheran differentiation between law and gospel comes into play. Remember that in the preface to the Lectures on Galatians, Luther distinguished between two kinds of righteousness: the "righteousness of the law," and the "righteousness of faith," or "Christian righteousness."[101] This distinction plays a central role not only in Luther's description of how the Christian is made just before God, but also in speaking about sin. Because of this, the initial blend (SIN IS THAT WHICH IS NOT IN ACCORD WITH GOD'S LAW) will be considered in two stages. I will first develop a description of the blend SIN specifically as related to the righteousness of the law apart from Christ. This will carry over into the second consideration of sin in the Christian in light of the gospel. Finally, how these pieces are held together will be differentiated related to the two major schools of Luther interpretation with which this chapter has been dealing.

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[101] WA 40i.40.15–30. "*iustitia legalis seu decalogi*" and "*fidei seu Christiana Iustitia*." Luther actually distinguished between four kinds of righteousness in the Preface of Galatians. The remaining two, however, are not as central to our discussion. These are "political righteousness" [*politica iustitia*] and "ceremonial righteousness" [*ceremonialis iustitia*]. Luther does describe these as goods necessary to the Christian life, although they must be distinguished by that righteousness that is given in Christ. Later in the discussion, he alludes to "work righteousness" [*iusticia operum*], which he treats as a kind of synonym for the three kinds of righteousness that refer to human striving, namely, political, ceremonial, and legal. WA 40i.41.1–2.

SIN IS THAT WHICH IS NOT IN ACCORD WITH GOD'S LAW

The basic frame of Luther's simple definition is that of law, specifically the Mosaic law. In Against Latomus, he defines sin: "sin is truly nothing other than that which is not in accord with God's law."[102] In the Preface to the Lectures on Galatians, he describes a "righteousness of the law or of the Decalogue, which Moses teaches."[103] Together, these produce a simplex network for the blend SIN of which an initial depiction might look like this (Fig. V-1):[104]

Legal Frame
Missing the bar is failure
consequences exist

Human Actions
Thoughts
Words
Will
Desires
Deeds

Mosaic Law
Commands perfect love
of God and neighbor
People are
Sinful OR Righteous

Sin is anything that
is not in accord with
God's Law

Figure V- 1
Simplex Network
SIN IS ANYTHING NOT IN ACCORD WITH GOD'S LAW

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[102] WA 8:83.28–29: "Peccatum vero aliud nihil est, quam id quod non est secundum legem dei."

[103] WA 40.40.26, "iustitia legalis seu decalogi quam Moses docet."

[104] As a reminder, "a simplex network involves two input spaces, one that contains a frame with roles and another that contains values. What makes this an integration network is that it gives rise to a blended space containing emergent structure that is neither of the input spaces taken individually." Vyvyan Evans, *Glossary,* 197. In this case, the frame of divine law is combined to particular human actions, desires, deeds, etc., to produces an understanding of sin that is any deviation from the (high) standards of that law, thereby effectively ruling all human beings sinners.

Sin is the condition of all who are not fully righteous, who do not constantly demonstrate perfect love of God and neighbor. The righteousness of the law is, frankly, impossible to attain as Luther frames it. It is, however, not the only righteousness that Christians preach.[105] This second righteousness, "Christian Righteousness," is a divine gift given on account of Christ's obedience. It works a real change in the Christian, although not immediately or in such a way as to give the Christian a righteousness she could possess apart from Christ. The change that it works introduces a second metaphoric engagement (really a double-scope blending of two metaphors) with "ruled sin," that is, the remaining sin in the Christian that is still a deviation from the divine law given through Moses, but which is no longer able to separate the Christian from Christ, or to terrify his conscience.

"RULED SIN" IS SICKNESS BEING HEALED AND A CAGED ROBBER

The addition of Christian righteousness fundamentally alters Luther's description of sin. While the remaining tendencies to sin in Christians are still to be called "sin" because they are still not in accord with God's law, they are unable to harm the Christian because of Christ's work. Two metaphors arise. Each emphasizes both Christ's work for the Christian and the ongoing danger of turning away from Christ. The first of these, from the Romans Lectures, is of the Christian as a sick person under a doctor's care.[106] Sickness remains, but the patient can trust in the promised healing despite the remaining pain, difficulty, and symptoms. It should be remembered that it is in this context that

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[105] As Luther argues in the Galatians Lectures, both active and passive righteousness are necessary for the Christian. WA 40i.45.24–26. "Haec est nostra theologia qua docemus accurate distinguere has duas iustitias, activam et passivam, ne confundantur mores et fides, opera et gratia, politia et religio. Est autem utraque necessaria, sed quaelibet intra suos fines contineri debet."

[106] See in particular WA 56:272.3–277.3 Discussion above at p. 250.

Luther describes the Christian as *peccator in re, iustus in spe*, that is, as experiencing her ongoing failure to be what God desires for her, but trusting in God's healing.

Sickness provides an apt comparison to sin. It is something somewhat mysterious in the person that causes them to act in a way that they do not wish. Convalescing can also be a long and mysterious process that requires trust on the part of the patient — especially in the late medieval era of Luther's writing.[107] Who the doctor is is incredibly important. Trusting the wrong doctor can be deadly. There is little way for the layperson to know how treatment is progressing before it is completed. Consider, for example, the tendency in our own day for patients to not complete courses of antibiotics because they start to feel better, leading to both personal relapses into illness and to the development of drug-resistant strains that can harm others.

In the *Anti-Latomus*, Luther adds another metaphor, that of the caged robber.[108] Here the remaining sin is personalized and given an agency of its own, albeit a limited one. Here we encounter something resembling Augustine's distinction between the unbaptized as "*non posse non peccare*," and the baptized as "*posse non peccare,*"[109] although Luther would not draw the implication that a Christian who does not give in to the wheedling of the caged robber is sinless. Sin is still "in" the Christian, and imprisoned only by the power of Christ. The Christian remains unable to stand before God on his

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[107] As Jairzinho Lopes Pereira points out, for Luther, justification is a process that starts in a particular moment, "but cannot be dissociated from the *skaton* to which it aims. ... It's completion … implies a life-long process. This makes of justification a process, as G. Hunsinger puts it, an eschatological event covering three tenses." Pereira draws particular emphasis to Luther's use of not only the healing metaphor in Romans, but also the metaphor of building a house. *Augustine of Hippo and Martin Luther on Original Sin and Justification in the Sinner*, (Göttingen: Vandehoeck & Ruprecht, 2013), 385.

[108] WA 8:91.18–40. Discussion above at p. 255.

[109] Augustine develops the four-fold distinction relating pre-lapsarian humanity (*posse non peccare et posse peccare*), fallen humanity (*non posse non peccare)*, redeemed humanity (*posse non peccare*) and risen humanity (*non posse peccare*) in his *Enchiridion on Faith, Hope, and Love,* ch. 118. PL 40, col. 287.

own. He is thus is still a sinner, even if it is possible to withstand the cajoling of the robber caged by Christ's power. These two images complement each other well. The personal aspect of the second augments the directionality of the first. Christ is removing sin from the Christian so that in the final remaking of all things she will be able to stand before God and will truly be *non posse peccare*, and therefore not be a sinner. But in the meantime, it "is prowling around like a roaring lion looking for [someone] to devour."[110] Moreover, both give a primary role to Christ and a secondary role to the Christian, and both are rooted in faith. As the patient must trust the doctor, the deputy must trust the sheriff against the wheedling of the captured robber's protestations of innocence.[111] Sketching out the blend, it might look like this (Fig. V-2):
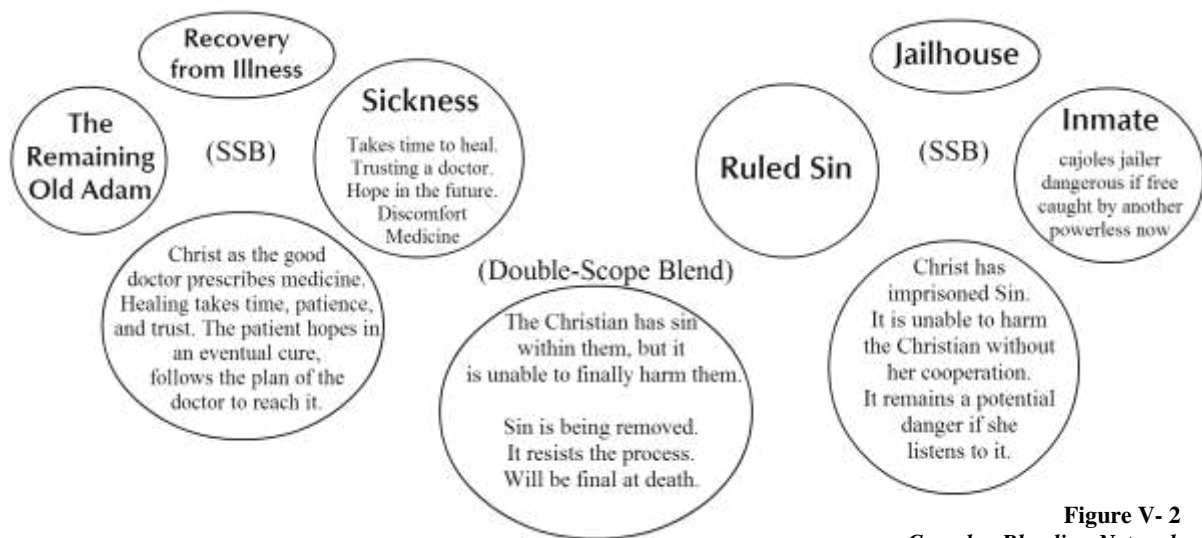

Figure V- 2
Complex Blending Network
RULED SIN IN THE CHRISTIAN

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[110] 1 Peter 5:8.

[111] As Pereira points out, this faith must also include humility, as humility is necessary to trust God's prescription against one's own stirrings to the contrary. Pereira, *Augustine and Luther*, 385.

Interpretive Frame: LAW AND GOSPEL

This blend, however, must be interpreted within the frame of the two kinds of righteousness developed in the Lectures on Galatians. The Christian always remains a sinner in the first sense (SIN IS THAT WHICH IS NOT IN ACCORD WITH GOD'S LAW) throughout the entirety of his or her earthly life. But Christ's justice is the justice of the Christian, and so she is justified before God. Sin is being put to death in her. Luther's insistence that sin remains in the Christian implies neither what Leo X's thinks in *Exsurge Domine,* namely that the Christian is barred from salvation,[112] nor the concern of Trent that Luther's doctrine would lead to lawlessness or a disregard for the law of Christ.[113] The Christian is justified in Christian righteousness and is required to follow the commands of God made both through Moses and Christ. But it is not by following this law that the Christian is made just, instead it is by God's grace [*favor*] in Christ. The law retains its proper dominion only over the flesh.[114]

God's gift [*donum*] allows the remaining sinfulness to be put to death daily. Thus, even though a Christian must follow Christ's commands, pursue the righteousness of the law and a ceremonial and legal righteousness, he will never reach a state of justice by these efforts which would suffice for his salvation. To begin to trust in one's own justice is to go off one's meds or to open the cage holding the robber. Even a weakened robber or a partially-healed sickness will still overwhelm the Christian. There is progression in

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[112] Leo X Bull *Exsurge Domine,* June 15, 1520, §3. DH 1453. Cf. also Trent Session V, can. 5. DH 1515.

[113] Trent, Session VI, can. 20–21. DH 1570–71.

[114] Luther, *Lectures on Galatians*, WA 40i.49.35–50.30.

holiness, but not in such a way as to give the Christian a means of standing before God's judgment apart from Christ.

Two Eschatological Double Visions

These blends for sin, framed in terms of law and gospel, can produce several eschatological visions of the Christian as *simul iustus et peccator*. In this section, I will chart those blends and relate this to the relationship between justification and sanctification and how the Christian is understood as *simul totus iustus et totus peccator* (and/or) *simul partim iustus et partim peccator*.

Totus-Totus

The *totus-totus* interpretation of the phrase is often understood in terms of Luther's variant expression *peccator in re*, *et iustus in spe*, and that in a very particular sense.[115] It heeds Luther's warning to be careful to properly distinguish between justification and sanctification,[116] particularly as that distinction is later interpreted in the Formula of Concord.[117] Because the sin related to justification is understood through Luther's first blend for SIN (SIN IS THAT WHICH IS NOT IN ACCORD WITH GOD'S LAW), the Christian will always be a sinner in the sense that there will always be aspects of his life and person that are not in accord with God's desire for his final justice. Even though God gives the Christian the gift (*donum*) such that they begin to heal, the presence of that which is not in accord with the divine law means that they will always be a sinner in this

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[115] See Luther *Lectures on Romans* WA 56:269.30 and discussion above, p. 250.

[116] See Luther *Lectures on Galatians*, Preface, WA 40i.40ff and discussion above, p. 259.

[117] See FC.SD.III; V.

life. The implication drawn from this is that justification can only be properly talked

about in terms of Christian hope or a forensic imputation for the sake of Christ.

To provide a depiction of this understanding requires two networks that do not

interact with each other. The Christian is *simul* only in the sense that it is the same person

considered in two different ways (Fig. V-3):
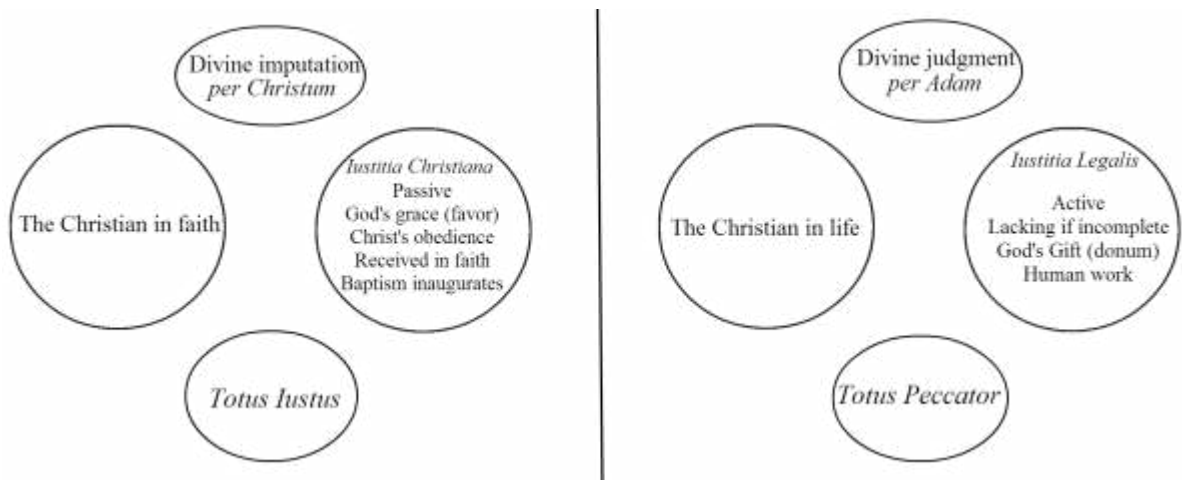
Figure V- 3
Two Single-Scope Blends
Simul totus iustus et totus peccator

This, of course, meshes well with a dialectical theology, for the historical, sinful

existence of the Christian is held in an unresolved tension with her otherworldly,

eschatological recovery. The Christian possesses Christ's justice only by faith, and any

attempt to be just apart from that faith runs the risk of repudiating faith and falling away

from God's imputation, thus becoming only a sinner.

Partim-Partim

The insistence that Christ is both God's grace (*favor*) and gift (*donum*) leads to a

more complex eschatological vision that holds sanctification and justification in a real

relationship.[118] In this vision, it is possible to say that by God's grace, the Christian is progressing in holiness, although whatever holiness they are able to achieve through that grace remains dependent on God's ongoing action, not merely on his initial gift. Here, we can depict the Christian as *partim iustus et partim peccator*. This eschatological vision seeks to describe the Christian as on the trajectory of justification. It is not separable from the blend depicted immediately above just as Luther's blend for RULED SIN (SICKNESS BEING HEALED AND A CAGED ROBBER), presupposes his basic blend for SIN. Sin remains sin during the process of its healing. Although it does not separate the Christian from God, sin does not become an indifferent thing.

David Yeago has argued that for Luther, the *totus-totus* aspect of the simul actually finds its basis in the *partim-partim* aspect. Because remaining sin can be understood as a sickness, or even an injury, Christians are

> said to be righteous and sinners *totaliter* in more or less the way in which we say 'so-and-so has been injured' when actually only 'part' of the person has been injured. Because sin is 'partially' present within them, therefore the faithful, so to speak as concrete human wholes, are rightly called 'sinners altogether.' Yet because they have been partly healed, the same human beings are at the same time equally truly said to be 'totally righteous persons' by divine imputation. Therefore, *on the basis of the 'partial' simul*, the same persons are said to be wholly righteous and wholly sinful at the same time – but *diverso respectu*, in diverse respects.[119]

Here we see the complexity of Luther's engagement with the Christian life, rooted in his eschatological understanding of the baptized person. The Christian participates in Christ, who is her justification and her healing. This healing continues throughout her life as a

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[118] See points three and four of Veli-Matti Kärkkäinen, "Salvation as Justification and *Theosis*: The Contribution of the New Finnish Luther Interpretation to Our Ecumenical Future," *Dialog* 45, no.1 (2006): 74.

[119] David S. Yeago, "Martin Luther on Renewal and Sanctification: *Simul Iustus et Peccator Revisited*," In *Sapere teologico e unita' della fede: Studi in onore del Prof. Jared Wicks,* ed., Maria del Carmen Aparicio Valls, Carmelo Dotolo, and Gianluigi Pasquale, (Rome: Pontificia Universitá Gregoriana, 2004), 664.

trajectory towards her final redemption. It occurs as a result of her state of union with Christ that was effected once in baptism and which can be said therefore to be complete.

This means that the eschatological double-vision by which the Christian is understood is no simple pair of single-scope blends that operate in different modes of thought. Instead, the Christian is both *totus iustus et totus peccator* as understood through the blends for SIN described above, along with being on the way to the final goal that is already made present by Christ's merit. As Yeago argues, "neither of these forms of the *simul* can be rightly understood only by contrast with the other; they both presuppose a more basic state of affairs, the union of the believer with Jesus Christ by faith."[120]

Forensic imputation does not leave the Christian unchanged, although the process of transformation will never be complete in this life. It is, therefore, not *merely* forensic imputation in the way that that term has been diametrically opposed to transformative models of justification. The Christian, inaugurated at baptism into the fight against sin, returns daily to Christ in contrition, asking forgiveness and for the ongoing healing that will eventually produce what we might equate with Trent's formal cause of justification, i.e. God's desire for the Christian's final redeemed form. Drawing this complex blend rooted in Christ's person might look something like this (Fig. V-4):

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[120] Ibid., 662.
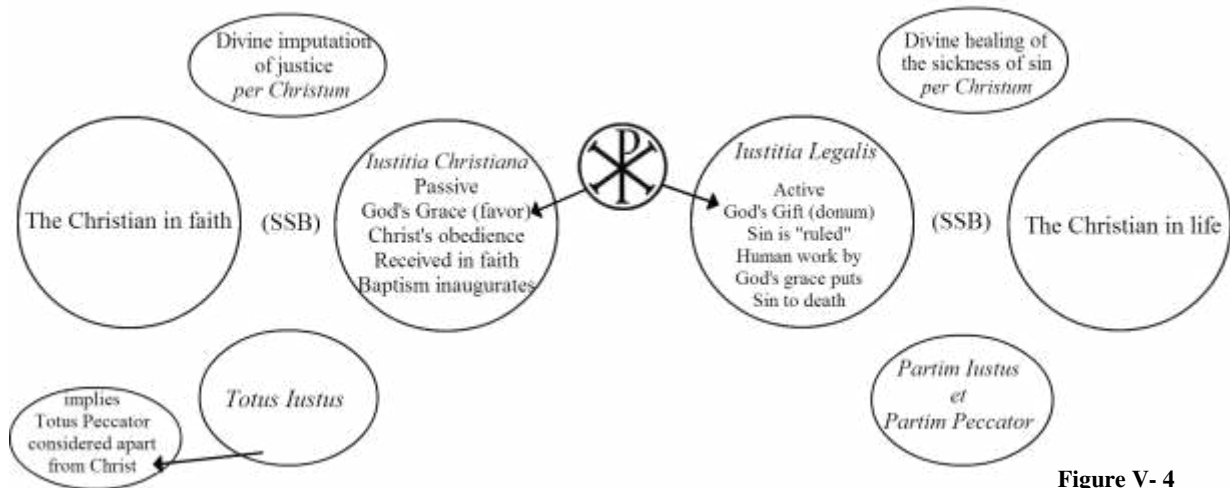
Figure V- 4
Complex Blending Network
Totus-Totus **and** *Partim-Partim*

Here we see the Christian's life as entirely caught up in God's action in Christ. Apart from Christ, all that can be said is that she is entirely a sinner, for both grace and gift are lacking. With Christ, the Christian is both already named just and still in the process of being made just, a process that will find its completion in her resurrection.

Conflicts with the Perceived Catholic Position

The Lutheran blends for sin do not easily mesh with the habitual Catholic ways of speaking, as described in the previous chapter. While many of the same issues are at stake, such as how to account for both the Gospel promise of salvation in Jesus and the ongoing struggle with sin, the modes of discourse are significantly different. Lutherans historically see the Catholic insistence that baptism entirely purges the Christian of sin as not having enough respect for the power that sin retains in the lives of Christians. Others have worried that even the Christian use of the sacraments as means of grace could devolve into a cycle of works-righteousness by which Christians seek to earn their

salvation. The blends that we have been developing in these chapters can illuminate why this (apparent) division arises and help show how the JDDJ overcomes the differences.

The Roman Catholic insistence that the sacrament accomplishes something complete, as detailed in the previous chapter, leads to a blend SIN in which only that which separates from God can properly be called sin (Fig. IV-2). In the Tridentine use, sin is properly that which divides the Christian from Christ. Venial sins and remaining concupiscence, therefore, are sins only analogically. The Lutherans begin at a different place, and therefore end up with a different blend. Sin is most properly anything that is contradictory to the divine will. There are connections: Luther would agree, for example, that the sin in the Christian is just cause for disinheritance, but he does not assume that its presence in the Christian means her damnation, as Catholics tended to understand him to be saying.[121] Also like Trent, Luther approaches the question of sin by examining the pattern of human redemption. Both look within themselves and recognize remaining disordered desires. The council fathers rule them to be not-properly sin because they cannot harm the Christian who does not consent; Luther instead finds in them evidence that he does not yet entirely love God.

This can also be described as a difference in the implications that they draw from the sacramental renewal affected by baptism. Trent protects this renewal by declaring that nothing remaining in the Christian is hateful to God, while acknowledging that the remaining concupiscence does not represent God's final desire for the Christian.[122] True sin is a stain that is removed by baptism. For Luther, on the other hand, true sin remains

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[121] As in *Exsurge Domine* §3. Precisely because God does not disinherit the Christian for Christ's sake.

[122] Trent, Session V, can.5. DH 1515.

in the Christian; it is a sickness needing healing and a crafty robber who, though imprisoned, is deadly.[123] His complex manner of insisting that justification is relationship to Christ, can develop the blend described in Fig. V-4. Here, the remaining anti-divine tendencies [*Gottwidrigkeiten*] can be named sin (as in his first blend) while insisting that this sin is progressively being destroyed. The Christian becomes more and more just in this life moving towards a completion in the next. Luther's blend, however, prevents any description of this process without direct and ongoing reference to Christ's work. Lutherans' discomfort with the Catholic manner of speaking can often be expressed as a worry that once baptism has occurred, the Christian is on her own to work out her own salvation in fear and trembling, apart from Christ.[124] As baptism is incorporation into Christ's body, this is also impossible in the Catholic blend. It is, however, not as explicitly present as it is in the Lutheran blend.

The *Simul* in the JDDJ

Most of the attention given to the *simul* is found in Section 4.4 of the JDDJ, (§§28–30, "The Justified as Sinner"), and in Annex §2A–B. These sections are carefully crafted and show an intriguing parallelism in their treatment of the Roman Catholic and Lutheran positions, noted by Pieter de Witte. In each section, there are

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[123] It should be remembered that the cognitive blends described here are neither the only way that one party describes sin, nor an option foreclosed to the other. What is being argued is that these descriptors function in a unique way within one tradition or the other, forming habitual language about sin and justification. Thus, while Lutherans may speak of sin as a stain, this is not the pattern of their normative descriptions of how God saves the sinner. Likewise, Catholics can speak of sin as a sickness, but this is not the structure of the Tridentine decree protecting baptism's efficacy, nor the logic of the sixteenth-century rejections of Luther's theology.

[124] Phil 2:12.

no less than three of what are almost verbal parallels: (1) The Christian is no longer separated from God, (2) what remains in the Christian that is in opposition to God does not deserve eternal punishment and (3) sins are forgiven in the daily return to baptism (Lutheran) and in the Sacrament of Penance (Roman Catholic, in the case of mortal sins).[125]

This strong parallelism is the fruit of the careful work of decades of bilateral dialogues.[126]

The distinguishing paragraphs, however, are themselves framed by a common statement in which justification and sanctification are held together as equal fruits of baptism, played out in the ongoing drama of Christian life:

> We confess together that in baptism the Holy Spirit unites one with Christ, justifies, and truly renews the person. But the justified must all through life constantly look to God's unconditional justifying grace. They are also continuously exposed to the power of sin still pressing its attacks (cf. Rom 6:12–14) and are not exempt from a lifelong struggle against the contradiction to God within the selfish desires of the old Adam (see Gal 5:16; Rom 7:7–10). The justified must ask God daily for forgiveness, as in the Lord's prayer (Mt. 6:12; 1 Jn 1:9), are ever again called to conversion and penance, and are ever again granted forgiveness.[127]

In a sense, this paragraph is exemplary of the JDDJ's tendencies, because it draws heavily on the prior dialogues while shifting the framing slightly. The framing sentence that holds justification and renewal together is not found in the first two drafts of the JDDJ. Both JDDJ I and JDDJ II begin with a version of what is now the second sentence, pointing to the necessity of God's unconditional justifying grace.[128] The final framing makes explicit the influence of the developing Lutheran willingness to speak of justification and sanctification as related, while still distinguishing them. This remains

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[125] Pieter de Witte, *Doctrine, Dynamic, Difference,* 196.

[126] See LK *Rechtfertigung* 44–46; 50–53; JF §§102–104, in particular.

[127] JDDJ §28.

[128] JDDJ I (September 21, 1994) §24 "Catholics and Lutherans confess together that the justified always rely upon the unconditional justifying grace of God."; JDDJ II (July 2, 1996) §28 "We confess together that the justified remain throughout their lives dependent upon the unconditional justifying grace of God."

controversial, however. This sentence provides an insight into both the reasons the JDDJ

is possible and into the discomfort some Lutherans have with its conclusions.

An Uneasy Intra-Lutheran Consensus

Section 4.4 of the JDDJ underwent significant revision in response to the LWF

member churches' responses. The German and Finnish theological tendencies were well

represented in these responses, pulling in somewhat different directions. The final form

of the JDDJ section 4.4 makes explicit use of the *totus-totus* terminology, and explicitly

stipulates that because the sin in the Christian is "'ruled' by Christ with whom the

justified are bound in faith … Christians can in part lead a just life."[129] Here we have

precisely the language of a *partim-partim* understanding.

The latter sentence derives from a proposal of the German National Committee in

response to JDDJ II. It, however, greatly changes the emphasis of that proposal. They had

suggested the addition of the following:

> [The Christian] is just, because God forgives him his sin and promises him
> Christ's righteousness. Regarding his own thoughts and deeds, however, he is a
> sinner, incessantly requiring the justifying grace of God, and, as long as he
> remains on Earth, *he only begins to live a piecemeal life of justice*.[130]

While either is compatible with what we have charted above as a Lutheran understanding

of the daily death of sin in the Christian, the original text is much less optimistic about

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[129] JDDJ §29.

[130] Stellungsnahme des DNK/LWB zum Entwurf einer "Gemeinsame Erklärung zur Rechtfertigungslehre" des Lutherischen Weltbundes und des Päpstlichen Rates zur Förderung der Einheit der Christen (1995). GER-DER, A.24.§25. "Er ist gerecht, weil Gott ihm seine Sünde vergibt und die Gerechtigkeit Christ zuspricht. Im Blick auf seine Gedanken und Taten selbst aber ist er Sünder, der unablässig der rechtfertigenden Gnade Gottes bedarf und, solange er auf Erden weilt, erst stückweise ein Leben in Gerechtigkeit führt." Emphasis added. The paragraph goes on to speak of the broken power of ruled sin.

the Christian life, while the final form of the JDDJ may leave some room to expect real

progress by Christ's mercy.

The Finnish response makes these connections clear. It begins by describing sin in

the baptized from the standpoint of the Confessions, demonstrating that there is a

Lutheran tradition of differentiating between temptation as non-damning sin (because

while these are not consented to, they remain opposed to God's will) and actual sin

requiring forgiveness.[131] They then stipulate, on the basis of a report of the Finnish

Bishops' Conference, that for Lutherans the

> total nature of justification and sin 'is to be understood correctly only if the partial
> perspective is also borne in mind: Christ's indwelling of the believer also means
> that the righteousness of the believer is only incipient righteousness, but this
> incipient righteousness God counts as perfect righteousness for Christ's sake.'[132]

These two positions, while they differ in tone, do seem to agree that the Christian cannot

be merely portrayed as *totus iustus-totus peccator*, unless that is also connected to the

ongoing renovation of life that Christ begins with baptism and continues in the life of the

Christian. It is no mistake that the JDDJ regularly approaches the questions of Catholic

and Lutheran difference on these questions from the perspective of justification as

"forgiveness of sins *and* making righteous."[133]

This means that there are some historically extant Lutheran positions that are not

compatible with the agreement reached in the JDDJ. A theology that insists on justifying

faith as only *fiducia* and links this to an understanding of the *simul* in which the Christian

cannot be said to progress in righteousness by God's grace in this life cannot accept the

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[131] Doctrinal Commission of the Evangelical Lutheran Church in Finland, "Report" (March 31, 1998), Hauschild C.10.c.381. Citing the Report of the Lutheran Bishop's Conference of Finland

[132] Ibid., 382.

[133] JDDJ 4.2 Title; §§11; 22; 23; 24; 27; 28; Annex §§2A; 2B. Emphasis added.

JDDJ as it is written. Such a theology would place the entire renovation of the Christian life in the eschaton, because to speak of any human participation in this world would be to negate the gospel proclamation.[134] It also accepts the historical distinction between Lutherans as proclaiming a *merely* forensic justification as opposed to a Roman Catholic transformational account.

Nevertheless, the Lutheran position as articulated in the JDDJ has room for some breadth of interpretation, allowing not only the Mannermaa school's strong account of justification as *theosis*, but also providing room for Lutheran theologies that place more emphasis on forensic imputation, as long as that imputation will have consequences in the Christian life. Luther's own emphasis on seeking holiness and confessing sins makes this interpretation of forensic imputation fairly widespread.[135]

Representative Lutheran Critics of the JDDJ

This present project cannot respond to all the critics of the JDDJ; I will therefore respond to two voices that became important in the first and second chapters of this work. Daphne Hampson rejected the JDDJ's solution because it failed to harmonize the "divergent structures" of Lutheran and Catholic belief. Her description of Lutheran theology is strongly influenced by Gerhard Forde, and absolutizes a *totus-totus* dialectical model of Lutheran thought. Second, the critique leveled by the faculty of Concordia

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[134] See the discussion of such a theology below in the engagement with Hampson and Forde.

[135] It is important to notice that in the Formula of Concord, what is at stake is the separation of justification and sanctification in the realm of teaching, particularly within the frame of law and gospel, or *iustitia Christiana* and *iustitia legalis*. But in considering the living of the Christian life, the Formula itself takes the question seriously of how to distinguish a living faith from a dead one. It points to the Apology, and to the Letter of James, and instructs the Christian to inquire whether their faith is resulting in a life of "good works and fruits of the Spirit." FC.SD.III.42.

Seminary, Fort Wayne, Indiana, is representative of the responses of many self-identified Confessional Lutherans.

Daphne Hampson

Daphne Hampson's critique of the Joint Declaration was first studied in terms of her expectations regarding consensus in ecumenical dialogue.[136] This section will examine her direct engagement with, and rejection of, the differentiated consensus of the JDDJ. This rejection is based on her contention that Lutheranism and Roman Catholicism represent not merely two Christianities, but two opposing faiths structured in radically different ways. Lutheranism, she argues,

> is built around a dialectic. One way of speaking of that dialectic is captured by the phrase justification by faith. Justification by faith creates a 'yes' and a 'no' (the dialectic). In saying that we are justified by trusting in Christ, we are saying that we are not justified by anything about the way we are. It is the dialectic itself which is important, structuring Lutheran faith. This dialectic is understood over against law, revelation over against reason, and faith over against works. Every theological idea finds its place in relation to this dialectic.[137]

This is contrasted with a Catholicism she describes as "linear," in which the human, transformed by grace, comes eventually "to be able to stand before God on account of his merits."[138] This difference leads to a difference between Lutherans and Catholics regarding sin(s). Catholics, according to Hampson, speak of sins in the plural, as moral infractions, the "obverse of justice," and a lack of being. This last description means that

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[136] See chapter two, p. 87.

[137] Daphne Hampson, *Christian Contradictions: The Structures of Lutheran and Catholic Thought*, (New York: Cambridge University Press, 2001), 177. Precisely this description of Lutheranism is critiqued by David S. Yeago, "Lutherans and the Historic Episcopate: Theological Impasse and Ecclesial Future." Lutheran Forum 26, no.4 (1992): 36–45; and Idem. "Gnosticism, Antinomianism, and Reformation Theology: Reflections on the Cost of a Construal." *Pro Ecclesia* 2 (1993): 37–49.

[138] Ibid., 84.

God can only love humans to the extent that they are sinless. Lutherans, she argues, only speak of sin in the singular as damning, for by this they mean a lack of faith. Sins, she argues, cannot separate the Christian from God in Lutheran theology. God therefore loves sinners *as sinners*, and this for Lutherans is the Gospel.[139]

There is a great deal to be clarified in this description. In order to engage it, it will be necessary to sort out two separate claims: first, that Lutheranism is "built around a dialectic" of the kind she proposes; second, that the distinction related to sin and being is actually present in the distinction between Lutherans and Catholics, and therefore its lack in the JDDJ constitutes a failure to properly engage the two traditions.

The Lutheran Dialectic

In one sense, Hampson's claim that Lutheranism is structured by a dialectic, sometimes known as "justification by faith" and variously described as law/gospel, faith/works, revelation/reason, is entirely uncontroversial. There are many Lutheran theologians who have systematized Lutheranism in precisely this way, particularly since the *Lutherrenaissance* of the early twentieth century.[140] Hampson's dialectician of choice is Gerhard Forde, and she describes his theology reasonably well, namely that the Christian proclamation creates a fundamental break between the world as it is and as it will be. Justification by faith means a new creation of the person in Christ, which for now we only possess in faith (and hope). Thus, Forde describes the relationship of sanctification and justification in this way:

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[139] Ibid. 90–92.

[140] For a clear, sympathetic critique of this history, see Yeago, "Gnosticism, Antinomianism, and Reformation Theology," 37–46.

The justification given is a total state, a complete, unconditional gift. From that point of view true sanctification is simply to 'shut up and listen!' For there can be no *more* sanctification than where every knee bends and every mouth is silent before God, the only Holy One. And God is revered as the Holy One only where the sinner, the real sinner, stands still at the place where God enters the scene and speaks. That is the place where the sinner must realize that his or her way is at an end. Only those who are so grasped that they stand still here and confess to sin and give God the glory, only they are 'sanctified.' And there cannot be *more* sanctification than that! Whoever knows this knows that there is an end to the old, there is a death involved, and that this being a Christian means ever and anew to be blasted by that divine lightning (for we always forget it) and to begin again.[141]

Here we see a strongly eschatological vision of the Christian, within a very particular eschatology. History is not sublated in this eschatology, nor is it redeemed. It is *ended* so that a new creation can take its place. Thus, there can be no progress in the Christian life beyond the single moment of realizing God's new beginning and returning to it. Hampson narrates this as a rejection of any continuity between the fallen world and the new creation, instead preferring to speak of continuity between Eden and the new world.[142]

What is unclear in this structure is how the Christian is in any sense different from the catechumen. In other words, does God do something in baptism that goes beyond the promise that is offered broadly in the proclamation of the Cross? If not, there would be the danger that Jesus' own command to baptize is merely a work of law, and therefore an unacceptable works-righteousness if it has any relationship to salvation.[143] It is clear that

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[141] Gerhard Forde, *Justification by Faith: A Matter of Death and Life*, (Minneapolis: Fortress Press, 1982), 50.

[142] Hampson, 189.

[143] As David Yeago argues, the difference between what he terms "the radical Lutherans" represented by Forde, and his own "evangelical catholic" (Lutheran) party, is precisely this difference about history. While he is expressing his point in terms of the church, it is equally true in terms of the renewal of the person. "It is a measure of the depth of our *dissensus* that it takes off from the theological definition of the gospel itself: evangelical catholics deny to begin with that the gospel is properly understood as a *limit* in Professor Forde's sense. That is to say, it is not the office of the gospel to put an end to history, but rather to initiate and sustain a new history. The gospel is thus not only spoken *in* history, but is itself historical, a socially embodied word which *has* a history, a word whose reality penetrates

for Luther, and for many contemporary Lutheran theologians, this is not the case —the Christian is told to return to baptism so as to be made holy.

Here we find an important divide within contemporary Lutheranism, exemplified by the theologies of Forde and David S. Yeago. Where for Forde the eschaton provides a *limit* for Christian life, ending any attempts at progress in holiness, for Yeago it provides a *renewal*.[144] This distinction creates a further difference as to what holiness is. For Forde, it is an internal recognition that only God is God. For Yeago, it must also have implications for the way the Christian acts. Justification is the beginning of a new life that, while it will not immediately make the Christian finally holy or somehow independent of Christ, will result in her progress in holiness. The old man is to be daily put to death and the sickness of sin is to be healed by Christ with the Christian's cooperation.[145]

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earthly-historical space and extends through earthly-historical time. For evangelical catholics, then, the eschatological reality, the gospel together with the faith it engenders, is not the *termination* of history, but historical existence *made new*, the kingdom of God taking form, however provisionally, in earthly space and time and assimilating to itself human life in all its social and historical density." Yeago, "Theological Impasse," 40.

[144] Ibid. See also the discussion of Yeago's position in the section on *partim-partim* understandings of the *simul*, above at p. 289.

[145] Those positing a radical break from history can read these texts about putting the old man to death, but they must read them as a call to put to death their own striving. Similarly, the Christian can be told to return to baptism as a place of realizing God's gift. These, then, represent an entirely internal transformation, which explains the Finn's contention that such Lutheranisms are overly determined by the neo-Kantian insistence that we cannot know things in themselves, but only their effects upon us. Justification by faith understood purely as a new understanding of God's new relationship to us stands in contrast with what they see as the actual union of the believer with Christ, which has the necessary effect also of the sanctification of the believer in this world. Notice that for Forde, (n. 150 above), sanctification itself is an internal attitude of reverence for God.

Sin and God's Love

Hampson's understanding of Lutheranism, Catholicism, and their difference results in her particular understanding of sin and justification, that is, of what she thinks Luther means by *simul iustus et peccator*. Engaging the Joint Declaration 4.4 directly she argues:

> the problem is that, structurally, Lutherans are saying that God accepts us simply as we are, *qua* sinners: they are speaking relationally. Whereas within Catholicism it must be said that the person is in some way *like* God, that is to say not a sinner, for it is axiomatic that if one is in relationship to God (that is to say 'not separated from God') it could not be that one is a sinner.[146]

There are serious problems throughout this paragraph. First of all, the Lutheran understanding, or at least *Luther's* understanding, is not that God approves of sinners *qua* sinners. Indeed sinners are justified by a new relationship to God, but it is a relationship grounded in and inseparable from the person of Christ to whom Christians are joined by baptism and faith.[147] It is *Christ's* goodness that the Father loves, *Christ's* obedience that is reckoned to sinners, and *Christ's* sonship that constitutes their relationship to God. Within Luther's understanding of sin, to say that God accepts sinners *qua* sinners, would be to say that the doctor accepts the patient's disease or the sheriff accepts the bandit's

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[146] Hampson, 209.

[147] In fact, if Luther does not intend to say this, then precisely his insistence that concupiscence in Christians is real sin that is being purged by Christ is nonsensical. Luther makes the point numerous times in the Lectures on Romans and Galatians, but perhaps this is clearest, (lecturing on Gal 4:6): "We ought therefore believe with certainty that not only our office please God, but also our person: whatever each one says, does, or thinks to himself is pleasing to God, not because of ourselves, but on account of Christ, whom we believe was made subject to the law for us. But we are certain that Christ is pleasing to God and is holy, etc. To the extent therefore that Christ is pleasing and we cling to him, so far also do we please God and are holy."

"Ideo statuere certo debemus non solum officium nostrum placer Deo, sed etiam personam nostrum: quicquid ea privitim etiam dixerit, gesserit, cogitaverit, placet Deo, Non quidem propter nos, sed propter Christum, quem credimus pro nobis factum esse sub legem. Sumus autem certissimi Christum placere Deo, eum sanctum esse etc. Quatenus igitur placet Christos et nos in eo haeremus, eatenus et nos Deo placemus ac sancti sumus." WA 40i.576.27–33.

terrorizing of the countryside. Even more problematically for Luther, it would be to say that God accepts the transgression of the law. Hampson's understanding of a dialectic that keeps history and eternity separate cannot describe Luther's account of God's love for the sinner because of Christ.

This relates directly to her misunderstanding of Catholicism. The basis of God's love for Christians is their baptism, that is, their unification with the Son in the Spirit.[148] God loves Christians for Christ's sake, and in doing so, he indeed makes them like God, restoring the image of God erased by sin.[149] But this is no direct path to God made possible by the infusing of some otherworldly power. It is instead the constitution of a new relationship with God made possible solely by God's work; that work includes a renovation of the fallen creature.[150] As David Yeago remarks, the interior renovation of the believer

> would in Forde's view rob the "imputed, unconditional gift" of justification of any point at all. This is because Forde regards it as obvious that such growth would necessarily be a movement *away* from dependence on God's grace. The more progress the believer made, the less he or she would need unmerited favor; a person who was perfected in holiness would presumably be morally self-sufficient, beyond the need for divine mercy.[151]

Here, precisely, is where the misunderstanding lies. Christian progress by God's grace does not make the Christian less dependent on God, as if the divine and human action

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[148] It is important note that Trent equates the justification of the Christian with her "grafting onto" or "insertion into" Christ. Trent, Session VI, ch. 7, DH 1530.

[149] Gen 1:27. It is precisely in the putting off of the old man, and the putting on of the new that this form is restored, or in the words of Trent, that they are "created in accordance with God." Trent, Session V, can 5, DH 1515.

[150] In Thomas's discussion of grace, for example, it is clear that the justification of the sinner is purely an act of God, but because it creates a new relationship with a created being, it requires that God both give the creature the capacity for the new relationship and continue to be operating in the creature in a way that does not remove her freedom because to do so would not befit her nature as a rational creature. See Michael Root, "Aquinas, Merit, and Reformation Theology, after the Joint Declaration on the Doctrine of Justification," *Modern Theology,* 20, no. 1 (2004), 11–12.

[151] David S. Yeago, "Martin Luther on Renewal and Sanctification," 656.

were opposed. This would require that there could be human actions that were not somehow dependent on God's prior gifts of creation, sustenance, and grace.

In the terms of the present project, while it is true that Catholic theology conceptualizes sin as CAUSE FOR SEPARATION FROM GOD and draws conclusions from this for the life of Christians after baptism, it does so in the context of a complex understanding of causality in which God (as efficient cause) produces the justification of the sinner such that she is remade into the image of God's desire for her own just self (formal cause), and she is unified with God (that is, as final cause). He accomplishes this by baptism and faith (instrumental cause) on account of Christ's saving work (meritorious cause).[152] In all of this, there is a transformation in the Christian wrought by God that remains non-final in this life. It remains God's doing, although the Christian is fully involved in it.[153] This is not the mere infusion of auxiliary power to help the Christian climb a difficult hill that Hampson suggests. Nor is it as different from Luther's position as she imagines.

The Faculty of Concordia Seminary, Fort Wayne, Indiana

This evaluation, prepared as part of the Lutheran Church–Missouri Synod's response to the Joint Declaration, makes seven chief critiques of the JDDJ, of which four are directly applicable to the present project.[154] The salient critiques are first, that the document fails to admit a "glaring conflict between Augsburg and Trent," that is whether

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[152] Trent Session VI, ch.7 DH 1529.

[153] JDDJ §21 and Sources for 4.1

[154] Department of Systematic Theology Concordia Theological Seminary, Fort Wayne, Indiana, "A Response to the Joint Declaration on the Doctrine of Justification, in *The Joint Declaration on the Doctrine of Justification in Confessional Lutheran Perspective,* (St. Louis: Commission on Theology and Church Relations of the LC–MS, 1999), 13–38.

justification is forensic or transformational. The second is the JDDJ's definition of grace and the third its understanding of original sin. Finally, they reject both the JDDJ's and the Luther Seminary Faculty's description of law and gospel as it relates to faith.[155]

The first of these sets the stage for the others. The Concordia faculty outlines the general distinction between justification as "essentially forensic" and as "an internal transformation of the believer."[156] While they stipulate that there is a Lutheran method of rightly saying that justification is both forgiveness of sins and making righteous, they reject with the Formula of Concord "that justifying righteousness 'consists of two pieces or parts, namely, the gracious forgiveness of sins and, as a second element, renewal or sanctification.'"[157] They expressly reject that transformation can have any part in an authentically Lutheran account of justification; this includes an explicit rejection of Mannermaa's interpretation.[158]

On this basis, in the following section, the faculty members draw a sharp distinction between grace as *favor Dei* and as "infused grace, a spiritual power poured into the soul by which we love God and merit salvation."[159] The concern with forensic models as starkly opposed to transformative models is also played out in the section on original sin. There the JDDJ asserts that remaining concupiscence is "objectively in

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[155] The seven subsections of problems in order are titled: (1) Justification: Forensic or Transformational?, (2) Sola Gratia: No Real Advance, (3) Justification: The Article by Which the Church Stands or Falls, or One Truth Among Others?, (4) Original Sin?, (5) Justification: Christological Core and Center, (6) Justification: Beyond 'Law and Gospel' and Faith, and (7) Flawed Ecumenical Methodology. Ibid., 17–29. The reference to the Luther Seminary faculty paper, responds to Gerhard Forde, Pat Keifert, Mary Knutsen, Marc Kolden, Jim Nestingen, and Gary Simpson, "A Call for Discussion of the 'Joint Declaration on the Doctrine of Justification,'" *Dialog* 36, no. 3 (1997), 224–29., discussed above at p. 31.

[156] Ibid., 17.

[157] Ibid., 18, citing FC.SD.III.48.

[158] Ibid., 19.

[159] Ibid. Notice that the account of the presumed Catholic position is similar to that in Forde and Hampson.

contradiction to God [but] does not merit the punishment of eternal death and does not separate the justified person from God."[160] The faculty calls this description mere "excuses for sin [that] are substituted for forgiveness and justification."[161] Finally, they diagnose a failure to relate faith and justification to the atonement of Christ on the cross. In place of what they see as a kind of human cooperation in justification by the act of faith, they insist that justification is appropriated by faith, but only as "pure receptivity— the empty hand filled by the Person and Work of the God-Man."[162] The central concern throughout this critique is the mutual opposition of forensic and transformational accounts of justification, particularly as informed by an account of faith as *fiducia*.

Clearly, this argument represents a not-incidental stream within the collection of historical Lutheranisms. It seeks to buttress the faith against what it understands to be an ever-present danger in Roman Catholicism, i.e. the human tendency to want to be God and to merit salvation. It therefore insists on a sharp distinction between justification and sanctification so that humans do not believe themselves to be meriting justification in any manner. Indeed, Luther's distinction between law and gospel, between the *iustitia Christiana* and the *iustitia legalis,* can seem to support or even require such a distinction.

Luther's own theological practice, however, demonstrates that these two moments in the Christian story are also to be interrelated. Luther speaks of Christ's gift of imputed justification and then immediately inquires as the effects that that justification has in the

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[160] JDDJ §30. This is the Catholic paragraph on the topic.

[161] Fort Wayne, 23.

[162] Ibid., 27. Interestingly, they cite Hans Küng's book on justification positively here, in part to show that even a Catholic theologian is capable of seeing the work of Christ as related to both universal and personal justification. They do not point to Trent's insistence that the saving death of Christ is the "meritorious cause" of justification.

life of the believer.[163] The logical separation that keeps the believer from believing in himself is precisely a *logical* separation for the sake of preaching. It is not a necessary separation in the life of the believer, for Christ's action does something within her: Sin is imprisoned; the sickness of sin begins to be cured.[164] Of course, this gives the believer no rights against God, and in this sense she can be said to remain a sinner. But, in another sense, Luther's own first blend SIN gives us a way of speaking of the Christian as no longer a sinner on account of Christ: If sin is anything not in accord with the law of God, then the Christian, precisely because she is united with Christ and is named just by God, can be said to no longer be a sinner, for the lawgiver himself has named her just. Having been named just, Christ's action in her to kill death and sin names a transformative aspect of God's action that cannot be wholly separated from her justification, except for the sake of preaching.[165]

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[163] Recall the passage from the end of the Preface to the Galatians Lectures engaged above at p. 262. Luther, waxing eloquent about the impotence of the Law because of Christ, writes: "[Christ] will preserve my conscience happy and peaceful in the sound and pure doctrine of the Gospel and in the knowledge of this passive righteousness. When I have this [justice] within me, I descend from heaven just like the rains fructifying the earth, that is: I go forth into another kingdom and do whatever good works come to mind." WA 40i.51.19–22. The works that the Christian performs are the *effect* of Christ's gift of passive righteousness.

[164] The point is made explicitly in JDDJ §26: "In the doctrine of "justification by faith alone," a distinction but not a separation is made between justification itself and the renewal of one's way of life that necessarily follows from justification and without which faith does not exist. Thereby the basis is indicated from which the renewal of life proceeds, for it comes forth from the love of God imparted to the person in justification. Justification and renewal are joined in Christ, who is present in faith." It should be noted that the final sentence, points to the influence of the Finns, whose interpretation of Luther the faculty at Concordia explicitly reject. But the language as used in the JDDJ does not necessarily imply the full understanding of theosis for which they argue, perhaps leaving room for a more Germanic understanding of Christ's presence in the believer. In any event, the language of Christ's presence in the believer must be allowed, as they themselves argue. Fort Wayne, 27.

[165] This is perhaps the most fruitful application of Otto Hermann Pesch's famous distinction between existential and sapiential theology. Much of Lutheran reflection on justification is done for the sake of preaching, for forming consciences, and for responding to the existential crisis of *Anfechtungen*. The sapiential mode of considering things not purely in their relationship to us, but in their relationship to each other sees connections that may be dangerous for the conscience. Luther's own examination of justification is unable to avoid these connections entirely, as has been argued. Whether the differentiation is able to entirely explain the difference between Lutheran and Roman Catholic modes of thought remains to be seen. Certainly, the concern voiced by de Witte, that sapiential theologies by their nature must include

The question that must be asked, then, is whether the Joint Declaration muddies the distinction between justification and sanctification in Lutheran theology in such a way as to encourage the Christian to trust in her own actions for salvation, or whether it points her consistently to Christ as the author, means, and end of that justification. This question is not unrelated to the central task of the present work as a whole, for the anthropology of the baptized Christian is exactly what is at stake in critiques of Pelagianizing tendencies. If the Tridentine insistence that concupiscence in the baptized is not, properly speaking, sin means that baptism places the Christian in a state in which by her own powers she must act so as to be saved, then this is a problem. But this is not the teaching of the JDDJ: "We confess together that in baptism the Holy Spirit unites one with Christ, justifies, and truly renews the person. But the justified must all through life constantly look to God's unconditional justifying grace."[166] Grace never makes the Christian independent of God. The different starting points for defining sin deeply affect the description of Christ's action in the believer, but need not prevent each from recognizing in the other a working-out of the implications of the one Gospel of Christ in the lives of believers.

Chapter Conclusion

In this chapter, the Lutheran motto *simul iustus et peccator* has been discussed in terms of the complex Lutheran blends for SIN that begin with SIN IS ANYTHING NOT IN

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existential concerns, and therefore that there is an asymmetry built into a consideration of Lutheran and Catholic theologies under this rubric, is not unwarranted. But, insofar as we are speaking of the fruitfulness of different descriptions of the Christian life, asking in which mode they are acting is helpful. See O.H. Pesch, "Existential and Sapiential Theology – The theological Confrontation between Luther and Thomas Aquinas," In Jared Wicks, ed., *Catholic Scholars Dialogue with Luther*, (Chicago: Loyola University Press, 1970), 61–82; Pieter de Witte, *Doctrine, Dynamic, Difference*, 44–50.

[166] JDDJ §28.

ACCORD WITH GOD'S LAW, and then are made more complex in describing the remaining

sin in the Christian in terms of Christ's "ruling" of that sin such that it becomes A

SICKNESS BEING HEALED or A CAGED ROBBER. The Christian life is thus structured by a

continual return to baptism through penance, so as to return to Christ in faith, and be

healed of sickness or freed from the terrors of the robber.

Different contemporary systematizations of Luther's thought have been shown to

draw different implications for how this is to be understood in the lives of believers,

depending on the division or relationship that is posited as existing between Christian

righteousness and the righteousness of the law, between justification and sanctification.

In the Joint Declaration on the Doctrine of Justification, these two are both considered as

flowing from one divine action, that is, the union with Christ that is given in baptism and

grasped in faith. Understood in this way, the Lutheran position is capable of a

differentiated consensus with the Catholic position, although there remain Lutheran

theologies that cannot accept the agreement.

The Lutheran blends for sin and their sacramental framing make clear that what is

at stake in Lutheran thought, at least as portrayed in the JDDJ, in the works of Luther,

and in the Confessions engaged here, is capable of a differentiated consensus with the

Roman Catholic positions described in the JDDJ. As a Roman Catholic theologian, I can

properly judge how different Lutheran theologies work as historical interpretations of

Luther and as they relate to each other. I cannot claim that one of these theologies is the

theology to which all Lutherans must adhere. Therefore, while I can claim that the JDDJ

makes a reasonable case for having achieved a differentiated consensus between the

theologies that are operative in it, I cannot finally declare that the Lutherans who reject it

on the basis of affirming that faith is only *fiducia* or because they posit an impenetrable

dialectic between law and gospel are bad Lutherans, although they are probably

describing positions that are foreign to the Reformer himself.

CONCLUSION:
DIFFERENTIATED CONSENSUS IN THE JDDJ

After two chapters of close engagement with the particular concerns of Lutherans and Roman Catholics, the reader, especially one quite familiar with the Lutheran-Catholic dialogue, might be asking whether the mode of inquiry paid the promised dividends. In this conclusion, I will both point to the specific contributions of the application of cognitive linguistic insights to the present project and demonstrate how it can help an ecumenical non-expert to become a better reader of the JDDJ. First, I will return to the question of how cognitive blending functions in each church and in the dialogues. I will then return to the Joint Declaration itself to examine how the Lutheran and Catholic cognitive blends for SIN and their different framings are both present and reconciled in that document.

Zooming Out Again: Why Cognitive Linguistics?

Bilateral dialogue has been found to be a potent ecumenical method.[1] Over years and decades, theological experts become proficient in the details of the disputed questions. They develop facility with the language and thought-forms of the dialogue partner. Roman Catholic theologians must learn to express the Lutheran position so that Lutheran experts recognize it as their own and vice versa. This familiarity with the other's forms of thought allows a new ecumenical horizon to emerge in which it becomes

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[1] On the question of bilateral dialogue as a method, see chapter two, p. 100.

possible to discover if apparently contradictory teachings are in fact such, and if they are not, to name where the commonality lies.

The weakness of the method is that ecumenical dialogues are always done on behalf of the wider church. Those who receive their findings have not developed the proficiency in the other church's language that the dialogue's findings presuppose or the merged horizon that is their most proper context. The process of reception requires each reader of the dialogue reports to test those findings against his own understanding of Christian teaching. If that understanding of Christian teaching requires exact repetition of cherished formulations or is systematically structured by the division from the other, reception of the dialogues will be difficult, if not impossible. It is in this situation that an examination of the cognitive-linguistic understanding of human meaning is most helpful.

Examining the structures underlying human cognition and meaning expressed by languages and cultures leads to several important conclusions. First, the world does not come to people in a pre-structured manner such that literality is the univocal base-position of language.[2] Instead, humans experience the world in a fundamentally mediated manner. Every experience, every narration, contains a complex interplay of objective and subjective aspects. In the third chapter, color provided an example of how these different inputs are seamlessly blended in our experience, such that the outside world, human ocular and neural structure, and cultural formation all play a role in the simplest experience of color vision.[3]

More complex ideas are made possible by the process of network formation. Basic mental spaces are linked to produce "blends" that can be metonymic or

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[2] This description has been called the "idealized conventional view." See chapter three, p. 133.

[3] See chapter three, p. 139.

metaphoric.[4] In everyday usage, we do not examine the formation or structure of these blends. Doing so would prevent us from achieving the facility of meaning and expression that they allow. But in some cases examining how these blends are structured is necessary to clarify why we say what we do. Ecumenical dialogue is one of these situations. Understanding the means by which habitual metaphors are constructed allows testing the implications of the blend to discover which are necessary because of the structure of the local language and which are universally necessary. Here again the comparison to color categories is helpful. By investigating the ways that native speakers of different languages use color words, we can tease out which particularities are due to the underlying structures of the eye and the brain and which are local cultural achievements. Making the translation to theological language, we would have to discover which rules are necessary requirements of the gospel, which are authentic local developments, and what aspects might be local malformations.

The dialogues pay careful attention to the structures of Lutheran and Catholic thought. In doing so, members of the dialogues have come to the realization that some of these structures can be incompatible without being contradictory.[5] As participants develop facility in the other's language, practice, and ways of expressing the Christian gospel, they are more likely to see such commonalities. This experience has received

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[4] The first is a blend that does not require a cross-domain mapping, the second does. As an example of metonym, we used the "riddle of the monk" which is solved by imagining the monk ascending and descending on the same day (p.141). Likewise, a metaphoric mapping holds together two different frames: MORE IS UP is deeply involved in our descriptions of temperature, and is found in the standard blending represented by a thermometer (p. 141).

[5] Cardinal Dulles' comment that he "would not want to expel from the Catholic Church anyone who held the Lutheran positions on justification as described in the JD[DJ]. But if I were in a position to do so, I would prohibit these Lutheran positions from being preached in Catholic pulpits or taught in Catholic seminaries and catechisms" represents an example of this distinction. Dulles, "Justification and the Unity of the Church," 127. See discussion in chapter one, p. 47.

notable expression by George Lindbeck and prompted his own consideration of meaning in *The Nature of Doctrine*. He describes the situation in this way.

> The dialogue members … say they have been compelled by the evidence, sometimes against their earlier inclinations, to conclude that positions that were once really opposed are now readily reconcilable, even though these positions remain in a significant sense identical to what they were before. … [T]he problem is not with the reality but with the comprehensibility of this strange combination of constancy and change, unity and diversity. The proper response in that case is not to deny the reality on the grounds that it seems impossible, but rather to seek to explain its possibility.[6]

If all theologies as instantiations of human meaning are constructed through neural blends of various sorts, this experience becomes explainable.

Different Christianities form different cultural-linguistic groups, and each speaks a different dialect of Christian. These dialects are shaped by theological concerns, liturgical practices, and historical accidents. In day-to-day use, there is no need to consider how these habitual blends were formed or how they force particular formulations and rule out others. Fluency requires neither an understanding of etymology nor of comparative philology. These become necessary only when comparing dialects or related languages. Lutherans writing a hymnal select and reject particular hymns because they fit or do not fit within the Lutheran liturgy; Catholics would choose a different, although overlapping, set of hymns. In both cases, the hymns that are chosen will form those who sing them, forming them as Catholics or as Lutherans by strengthening certain associations and networks at the expense of others.

But in the dialogues, something unusual happens. Not only are experts in different Christianities seeking to understand the structure of the other, but "thoughts and formulas of 'differentiated consensus' crystallize over time in the process of working for consensus

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[6] Lindbeck, *The Nature of Doctrine*, 15.

in the bilateral interconfessional dialogues."[7] Here, we have a kind of higher-level

blending, in which those who have developed facility in both forms of thought begin to

see connections and consensus. They then have the task of describing these meta-blends

in a way that is receivable by the broader church. For the dialogue to be truly effective,

others must be able to see the particular metaphoric understandings of their own tradition

in the consensus. They also need to overcome the inherited understandings of the

difference that describe it in terms of insurmountable dichotomies. Without this, the

dialogues' experience of "doctrinal reconciliation without capitulation" cannot be shared

with the wider church.[8]

Blending in the JDDJ: Its Eschatological Double-Vision

In our engagement with the JDDJ, we have seen how the habitual Roman Catholic

blend SIN IS JUST CAUSE FOR DISINHERITANCE, framed by BAPTISM, produces significant

apparent contradictions with the Lutheran SIN IS ANYTHING THAT IS AGAINST GOD'S

LAW, framed by THE LAW AND THE GOSPEL. Historically, the clash of these blends has

produced an understanding that the churches are divided because one has a

transformational and the other a forensic account of justification.

What we have seen in the Joint Declaration, however, is a recognition that this

clash is only an apparent contradiction. In dialogues over the last five decades, Roman

Catholic and Lutheran theologians had come to recognize that a consensus existed

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[7] Harding Meyer, "Ökumenischer Konsens," 41. "Gedanke und Formel zum 'differenzierten Konsens' sich *im Vollzug* des Konsens bemühens der bilateralen interkonfessionellen Dialoge nach und nach herauskristallisieren."

[8] George Lindbeck, *The Nature of Doctrine: Religion and Theology in a Postliberal Age,* (Louisville: Westminster John Knox, 1984), 16.

between their positions. This consensus required its own reframing: the Christian after

baptism has already been made just and is in a state of justification. At the same time, she

is not yet the version of her own self that God desires her to be. Justification therefore

also implies a trajectory towards that final form of her justice in God. Lutherans and

Catholics hold together this double vision differently. They have different habitual ways

of relating the two sides to each other, but each is describing an eschatological double

vision of the Christian as already just and as not yet fully just.

In the JDDJ, then, there is a new blending that is proper to the dialogue. It should

be appropriable by both Lutherans and Catholics. Two assertions, held together, re-frame

the question and allow the JDDJ to achieve its goal. These are JUSTIFICATION IS

ABSOLUTELY GRATUITOUS, and JUSTIFICATION IS FORGIVENESS OF SINS AND MAKING

RIGHTEOUS.[9] The new framing allows the questions of historical disagreement to be

understood differently. The two confessions need not be divided over the question of

justification because each recognizes in the other a theology that is not what was

condemned by the parties of the sixteenth century. This new blend is not intended to

supplant the theology of either church, although it will likely be appropriated more and

more as the churches continue to work and pray together. Should the churches come into

communion with each other in the future, it would be on the basis of these agreements. It

would not collapse the theology of either church into a single transconfessional

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[9] That this is the context in which the consensus lies should surprise no one. Not only are these both central claims of the sixteenth century, but the seed of this agreement is already present in one of the first statements of the Lutheran-Roman Catholic Joint Commission, "All Under One Christ:" "it is solely by grace and by faith in Christ's saving work and not because of any merit in us that we are accepted by God and receive the Holy Spirit who renews our hearts and equips us for and calls us to good works." (UC §14).

consensus.[10] However, the *differentiated* consensus that exists does set borders on the

possible interpretations of Lutheranism and Catholicism. A Lutheranism that denies

Christian progress in holiness is ruled out, as is a Catholicism that collapses the

eschatological space, as if baptism made the Christian's final form fully present in a

more-than-sacramental manner. Speaking of the Christian as being "in a state of grace" or

being "named just in Christ" can never exclude either the growth in justification that

results in the Christian's final form of justice,[11] nor the progressive healing wrought by

Christ who over time puts the old Adam in the Christian to death.[12]

Interpreting a document like the JDDJ requires attending to what it is trying to do.

It is not trying to adjudicate the sixteenth-century disputes in favor of one party or

another. Nor is it trying to articulate an undifferentiated consensus on all the particulars

in order to transcend the difference between Lutherans and Roman Catholics. Instead, it

is describing a differentiated consensus that leaves Lutheran and Catholic manners of

theologizing in place while showing that they need not be understood as contradictory to

each other. This can be explained by appealing to our understanding of how language

works and to Christian respect for for the incarnate nature of human existence. When

ecumenists speak of "concerns," or of historical anathemas as not indicting a

contemporary dialogue partner, they are not ruling the past to be unimportant. Nor are

they merely equivocating on important terms to find an ecumenical consensus that is not

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[10] This model of ecumenism is thus more appropriable than that assumed by Lindbeck in his examples, in which the future church is monolithic, overcoming the histories of the divided churches. See p. 99 in chapter two.

[11] See discussion of Trent, chapter four, p. 224. See also the critique of Malloy, p. 245.

[12] See discussion of Luther, chapter five, beginning on p. 254, and the interpretation of the *partim-partim* aspect of the *simul*, p. 292. See also the critique of Hampson, p. 302

a consensus in the truth.[13] Instead, as chapters two and three demonstrated, any consensus in the truth between divided Christian groups will require something that resembles the differentiated consensus of the JDDJ. This kind of consensus neither ignores differences nor totalizes them. Instead, it seeks to translate between the metaphorically-constructed thought worlds to illuminate what consensus in the one Christian Gospel exists and to relate the differences that do exist to that consensus.

Attending to the particular Lutheran and Roman Catholic blends that are involved in describing the justified Christian is important. Chapters four and five sought to tease out these blends and to show that the JDDJ was compatible with each. This conclusion will once more go through the sections of the JDDJ related to sin in the baptized to show how these blends are held together within the dialogues' re-framing of the question. In place of the historic arguments between a (complete-) transformational and a (merely-) forensic account of justification, the JDDJ insists on a fuller blend that it finds to be truer to the visions of both churches. This blend is also capable of achieving the tricky balance necessary to describe the Christian as justified and still not yet what God desires for him. Again, it is JUSTIFICATION IS FORGIVENESS OF SINS AND MAKING RIGHTEOUS. It is no accident that this is the title of section 4.2 of the JDDJ.[14]

It is important to note that this is a double-scope blend. Neither forgiveness nor making righteous has priority; both are held together in tension. This means that there is both unity and distinction between the two. Justification is not merely making righteous,

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[13] This critique of the JDDJ is made specifically by Robert Preus in his *Justification and Rome*, (Saint Louis: Concordia Academic Press, 1997). I did not deal with his specific concerns both because they are not particularly original, and because the work was brought to a close by his death in 1995, and thus is not dealing with the final form of the JDDJ.

[14] The title is actually "Justification *as* Forgiveness of Sins and Making Righteous." The difference between the two formulations is merely the structural difference of a descriptive title and the operative blend it is defining.

or the eschatological tension will be collapsed. But neither is it merely forgiveness. Arguments about transformational versus forensic accounts of justification tend to force their partisans to choose between equating justification with making righteous (accomplished transformational) and with forgiveness (merely forensic). The Joint Declaration, along with both Martin Luther and the Council of Trent, holds these inputs in tension. Each produces a complex double-scope blend in order to do so.

When Roman Catholics merely equate justification with making righteous, this can encourage the Pelagianizing pattern of sacramental self-justification that Lutherans have historically condemned. As demonstrated in chapter four, however, this understanding itself runs afoul of Trent's definitions. Because it collapses the eschatological tension and makes our final righteousness already present, it cannot describe the growth in justification that will eventually result in that form of justice that God desires for us and provides for us.[15] It also runs counter to the liturgical practice of the church. As but one example, even though the celebration of the liturgy of the eucharist presumes that those taking part are free from the mortal sin that would separate them from God, the liturgy begins with the kyrie, asking God's forgiveness; before receiving the eucharist, the people declare their unworthiness to receive it; many of the propers ask that God forgive his people and drive all remaining sin out of them.

When Lutheran theology absolutely separates justification from sanctification, it can tend towards one of two equally problematic options diagnosed by David Yeago as a kind of antinomianism or a type of gnosticism.[16] On the one hand, the separation of the

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[15] Council of Trent, Session VI, ch. 7, 10; DH 1528, 1535.

[16] These is, admittedly, an element of overstatement for the sake of clarity in this diagnosis, which is made by David S. Yeago, in "Gnosticism, Antinomianism, and Reformation Theology: Reflections on

two can lead to a disregard for the law. Because God has already declared the Christian just, she has no need to strive to fulfil the dictates of the law. In this version of Lutheran thought, Daphne Hampson might be right, God would love the sinner as a sinner, without desiring her healing.[17] On the other hand, there is the possibility of a kind of gnosticism in which justification has only to do with a proper inner attitude toward God. Here, because justification is an entirely inner reality exhausted by trust (*fiducia*) in God's promise, it cannot have any exterior effects in the Christian's life. Holiness itself is merely an inner attitude. Both of these positions are extant in contemporary Lutheranism. Neither does justice to Luther's understanding of sin as framed by the law and the gospel. The Christian is freed by God's word and declared just. He is also still called to war against the remaining sin in himself, and to live out the various laws to which he is properly subject in all things except his justification.[18] Indeed, being justified by Christ is also the beginning of his being made righteous, a process that will continue throughout his life until he is fully conformed to God's image in Jesus by the Holy Spirit.

The JDDJ demonstrates that a double-scope blend holding together God's already accomplished action of justification and the ongoing reformation of the Christian in holiness is common to both traditions. Chapter four argued that the Tridentine definition of the formal cause of justification maintains the eschatological space required to speak of the trajectory of justification. It does this within a theological tradition that emphasizes the state of justification in order to protect the efficacy of baptism. Chapter five described

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the Cost of a Construal," *Pro Ecclesia* 2, no. 1 (1993): 37–49. They are problematic consequences that can arise within Lutheran theology when forgiveness and making righteous are not properly balanced.

[17] See p. 302.

[18] That is, the righteousness of the law, ceremonial righteousness, and political righteousness. Martin Luther, *Lectures on Galatians*, 40i.41.1–2. See p. 286 above.

the particular logic of Lutheran thought that is framed by the law and the gospel. Within this logic, the proclamation of divine forgiveness is fully present without exempting Christians from the daily struggle to overcome the old Adam. There is ongoing intra-Lutheran disagreement about *how* to hold together the state of justification and the trajectory of being made righteous. The assenting Lutherans of both German- and Finnish-influenced theologies, however, affirmed that Christ's work within Christians both declared them to be righteous and is carrying out the interior renovation that will lead to their final perfection in union with God.

While it is differently described in each tradition, the common pattern allows recognizing an authentic Christianity in the other. Both groups recognize that when paired with the insistence of the absolute priority of grace (JDDJ 4.1, "Human Powerlessness and Sin in Relation to Justification") the eschatological tension of Christian life can be described without either despairing for our salvation or trusting in our own works. Instead, the eschatological tension in the Christian mirrors the unity and distinction between earthly and heavenly realities found in many aspects of Christian life. The kingdom is present in the Church, but not in its final form. Christ's body and blood are truly present in the eucharist, but in a sacramental manner. Likewise, baptism unites the Christian to Christ's body, but not in the final form that that will take in the Kingdom. In doing so, God forgives his sin *and* inaugurates the struggle with sin by which he will be made righteous.

The Consensus of the JDDJ on Sin in the Baptized

In order to test the case that has been made in the previous chapters, I will apply what has been demonstrated about the Lutheran and Catholic cognitive blends for SIN and its framing in terms of BAPTISM or LAW AND GOSPEL to the relevant sections of the Joint Declaration on the Doctrine of Justification. In this section, instead of attending to whether the Catholic or the Lutheran positions are represented in the document, I will instead engage the question of whether they are represented in such a way as to make the case that the differentiated consensus recognized in the bilateral dialogues constitutes a real consensus between Lutherans and Roman Catholics. This occurs within the double-scope blend JUSTIFICATION IS FORGIVENESS OF SINS AND MAKING RIGHTEOUS, within THE ABSOLUTE GRATUITY OF JUSTIFICATION.

In order to do this, I will work backwards through the document, beginning with Sections 2A and 2B of the Annex, and then proceeding to the specifically Catholic (§30) and Lutheran (§29) paragraphs of Section 4.4. I will end by considering the common paragraph (§28). By beginning with the clarifications and working back through the paragraphs engaging difference, the consensus of the common paragraph will be made as clear as it can be, demonstrating that the Joint Declaration does indeed describe a consensus. This consensus is one in which the parties will continue to speak their own theological, ritual, and cultural languages. These would still seem to contradict each other if it were not for the insights provided by the process of dialogue and explained in the JDDJ.

Clarifications: Annex Sections 2A and 2B

The Annex to the Joint Declaration has four major sections: A short paragraph of introduction (§1), a section of clarifications related to the priority of grace and Christian renewal (§2), a paragraph regarding the status of justification as "indispensable criterion" and touchstone of the faith (§3), and a final paragraph relating to the different modes of authority within the two churches (§4). Of these, section two is by far the longest, containing five sub-sections (A–E). Of these, A and B are most germane to the present investigation.

Section two is briefly introduced with these words:

Together we confess: By grace alone, in faith in Christ's saving work and not because of any merit on our part, we are accepted by God and receive the Holy Spirit, who renews our hearts while equipping and calling us to good works (JD[DJ] 15).[19]

This paragraph reiterates the two central aspects of the blend we have been discussing that allow agreement in the JDDJ: JUSTIFICATION IS FORGIVENESS OF SINS AND MAKING RIGHTEOUS, as framed by THE ABSOLUTE GRATUITY OF JUSTIFICATION. In the language of the previous chapters, justification as divine gift is a fully-accomplished state, made present to the believer in baptism and faith. The ongoing reformation of the person that justification inaugurates and, in a sense, contains, is a trajectory implying growth into God's desire for each person. Trent noted the remaining infidelities in the person,[20] and spoke of the formal cause of their final justification,[21] towards which they must grow so

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[19] JDDJ Annex §2.

[20] Council of Trent, Session V, can. 5, DH 1515.

[21] Council of Trent, Session VI, ch. 7, DH 1529.

that justification can truly be said to increase.[22] Luther spoke of the Christian life as a road on which we travel by contrition, progressing by Christ's grace towards holiness,[23] all the while named just by God for Christ's sake in Baptism.[24]

Within this shared description of the Christian double reality finally determined by grace, the Annex reexamines a number of questions that had become controversial in the development of the JDDJ. Of these, I will primarily engage the first two, related to sin in the baptized (§2A) and the definition of concupiscence (§2B).

Section 2A: Sin in the Baptized

Section 2A consists of two paragraphs, both of which consist primarily of citations from the JDDJ and the bible, interspersed with connective phrases and commentary. The first paragraph describes the renewed life of the Christian, ending with the insistence that because God truly justifies Christians, they are —by definition— not sinners in the sense that they are separated from God:

> "We confess together that God forgives sin by grace and at the same time frees human beings from sin's enslaving power (...)" (JD[DJ] 22). Justification is forgiveness of sins and being made righteous, through which God "imparts the gift of new life in Christ" (JD[DJ] 22). "Since we are justified by faith we have peace with God" (Rom 5:1). We are "called children of God; and that is what we are" (1 Jn 3:1).We are truly and inwardly renewed by the action of the Holy Spirit, remaining always dependent on his work in us. "So if anyone is in Christ, there is a new creation: everything old has passed away; see, everything has become new!"(2 Cor 5:17). The justified do not remain sinners in this sense.[25]

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[22] Ibid., ch. 10, DH 1535.

[23] Martin Luther, *Lectures on Romans*, WA 56.442.

[24] Martin Luther, *Lectures on Galatians,* WA 40i. 51.14–17, among others.

[25] JDDJ Annex §2A1.

It is followed by a second paragraph that attends to the second half of the necessary

double-vision: the remaining sin that Christians recognize as remaining within

themselves. While the first paragraph focuses on the proclamation of forgiveness and

new life that is made to the Christian by God in the gospel and the sacraments, this

paragraph instead focuses on the response that Christians make to God when they

carefully examine their own lives.

> Yet we would be wrong were we to say that we are without sin (1 Jn l:8-10,
> cf. JD[DJ] 28). "All of us make many mistakes" (Jas 3:2). "Who is aware of his
> unwitting sins? Cleanse me of many secret faults" (Ps. 19:12). And when we pray,
> we can only say, like the tax collector, "God, be merciful to me, a sinner"
> (Lk 18:13). This is expressed in a variety of ways in our liturgies. Together we
> hear the exhortation "Therefore, do not let sin exercise dominion in your mortal
> bodies, to make you obey their passions" (Rom 6:12). This recalls to us the
> persisting danger which comes from the power of sin and its action in Christians.
> To this extent, Lutherans and Catholics can together understand the Christian
> as *simul justus et peccator,* despite their different approaches to this subject as
> expressed in JD[DJ] 29-30.[26]

Notice what the paragraph accomplishes. Instead of asking whether the phrase is

contradictory, as the Official Roman Response had, it situates the question of the *simul*

iustus et peccator within its proper liturgical-experiential setting.[27] From this perspective,

an authentically Christian response to God's gift of grace and justification must include a

growing honesty about the ongoing necessity for God's reformation of one's life.

Similar attempts were made in the sixteenth century. They include Melanchthon's

argument to Eck that the remaining concupiscence was no indifferent thing,[28] and

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[26] JDDJ Annex §2A1.

[27] CDF and PCPCU, "Response of the Roman Catholic Church to the JDDJ," *Clarifications* 1.

[28] *Corpus Reformatorum* IV.2132:40: "Now this remains in controversy: whether the remaining sickness in the saints be the penalty itself, or an indifferent thing [adiaphoron], or whether it is truly by its nature deserves death, if it not be pardoned. Again, this sickness is not only a desire [*concupiscencia*] of the sensitive appetite, nor only the tinder [*fomes*] or a quality of the body, but it remains in the mind as a fog that has not yet been driven away, such that the saints are greatly tested, and acknowledge doubts and mistrust of God. Nor therefore is the will converted to God, so that it entirely blazes with love; but the

Luther's rejection of any entirely pure act in the saints that would allow them to boast before God.[29] Trent's recognition that the remaining concupiscence in the Christian is to be turned away from also provides an example of this pattern, although their concern with defending the efficacy of baptism led them to much different language about the remaining tinder of sin in the baptized, as was shown above.[30] The JDDJ's recognition that the two aspects of justification must be held together in tension opens space for this experiential engagement with our justification without endangering the efficacy of its inauguration in baptism.

Section 2B: Concupiscence

In light of this agreement, the following paragraph on concupiscence requires little explanation. It states that Catholics and Lutherans use the term in related, although different, ways to describe the redeemed Christian still vulnerable to the attacks of sin.

> The concept of "concupiscence" is used in different senses on the Catholic and Lutheran sides. In the Lutheran Confessional writings "concupiscence" is understood as the self-seeking desire of the human being, which in light of the Law, spiritually understood, is regarded as sin. In the Catholic understanding concupiscence is an inclination, remaining in human beings even after baptism, which comes from sin and presses towards sin. Despite the differences involved here, it can be recognized from a Lutheran perspective that desire can become the opening through which sin attacks. [31]

The remaining vulnerability, however, must be described as something that will be removed in the final victory of Christ, for the eschatological tension that Christians

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saints themselves rush on in admiration and love of self. This infirmity, which the saints have wept over so often, remains therefore in the mind and in the will and in the sensitive appetite." My Translation.

[29] Martin Luther, *Against Latomus,* WA 8.79.21–25.

[30] Council of Trent, Session V, can. 5, DH 1515.

[31] JDDJ Annex §2B1.

experience is not harmless. The flesh is capable of causing real damage to the person who consents to its anti-divine promptings. Moreover, the Christian life requires owning these remaining tendencies as one's own insofar as we must repent of them and ask God to fully heal us. Examples of this pattern are found throughout scripture, in the liturgy, and in the writings of the saints, as was made clear by the citations found in §2A.

> Due to the power of sin the entire human being carries the tendency to oppose God. This tendency, according to both Lutheran and Catholic conception, "does not correspond to God's original design for humanity" (JD[DJ] 30). Sin has a personal character and, as such, leads to separation from God. It is the selfish desire of the old person and the lack of trust and love toward God.

> The reality of salvation in baptism and the peril from the power of sin can be expressed in such a way that, on the one hand, the forgiveness of sins and renewal of humanity in Christ by baptism is emphasized and, on the other hand, it can be seen that the justified also 'are continuously exposed to the power of sin still pressing its attacks (cf. Rom 6:12-14*) and are not exempt from a lifelong struggle against the contradiction to God (...)" (JD[DJ] 28).[32]

Catholics will continue to insist that concupiscence is not truly sin, so long as it receives no consent, in the sense that it does not separate from God. It is, therefore, of itself not cause for our disinheritance. Lutherans agree that as long as this concupiscence remains ruled by Christ it is not damaging to the Christian, but call it sin precisely because it is contrary to God's law and it will not be present in the final remaking of all things. Both recognize that it marks the distance that remains to be traveled in the journey towards God's desire for us.

These paragraphs of the Annex reiterate at greater length the agreement that the JDDJ described. They make clearer, based in the commonly-held texts of the tradition, that the double description that the Christian life requires is not only shared by Lutherans and Catholics, but is itself central to the proclamation of the Gospel. The fact that the two

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[32] Ibid. §2B2.

inputs of the blend (that is: the final redemption of the kingdom and the experience of the present age) are described and balanced in different ways need not in itself be a cause of division, although it may require some real care in negotiating between Lutheran and Catholic manners of speech. The texts, liturgies, and hymns of one tradition may not be available for use by the other without significant translation. However, each tradition can recognize in the other an authentic proclamation of the Gospel and a call to live ever more as a subject of God's kingdom.

Particularity: Lutheran and Roman Catholic Paragraphs

Moving backwards into the Joint Declaration itself, the Lutheran and Roman Catholic explanatory paragraphs provide the next level of explanation. These paragraphs have a two-fold task: to explain the particular teaching of the church in question and to note how that language is compatible with the consensus found in paragraph 28. I will deal with each paragraph in the same order as the chapters above.

Roman Catholic (§30)

The Roman Catholic clarification begins, appropriately, with the insistence that baptism is efficacious. It then moves directly to the recognition of the elements of the interior life that are not yet fully healed.

> Catholics hold that the grace of Jesus Christ imparted in baptism takes away all that is sin "in the proper sense" and that is "worthy of damnation" (Rom 8:1).There does, however, remain in the person an inclination (concupiscence) which comes from sin and presses toward sin. Since, according to Catholic conviction, human sins always involve a personal element and since this element is lacking in this inclination, Catholics do not see this inclination as sin in an authentic sense. They do not thereby deny that this inclination does not

correspond to God's original design for humanity and that it is objectively in contradiction to God and remains one's enemy in lifelong struggle. Grateful for deliverance by Christ, they underscore that this inclination in contradiction to God does not merit the punishment of eternal death and does not separate the justified person from God. But when individuals voluntarily separate themselves from God, it is not enough to return to observing the commandments, for they must receive pardon and peace in the Sacrament of Reconciliation through the word of forgiveness imparted to them in virtue of God's reconciling work in Christ.[33]

The double aspect of justification in Christian life is present here. It is formed by the particularly Roman Catholic pattern of beginning by affirming God's accomplished, effective work in the sacraments, and then balancing that affirmation by an attendant warning that in this life we can lose our justification by assenting to sin. Nevertheless, God remains gracious and willing to forgive those who repent. This mode of engagement describes the Christian by asking whether he has been disinherited after baptism, and how that can be overcome if it is so, not primarily by asking how closely he approaches his final form of justice. In this, it demonstrates the typically Tridentine SIN IS CAUSE FOR DISINHERITANCE, as framed by BAPTISM. But within this paragraph, that logic is expressed differently. Here it is held together with the ongoing concern for becoming what God desires us to be that marks the JDDJ's own blend JUSTIFICATION IS FORGIVENESS OF SINS AND MAKING RIGHTEOUS. Nevertheless, that blend is described in in a particularly Roman Catholic modality. It is also careful to demonstrate that the Lutheran concerns with the Catholic language have been overcome. The paragraph uses the language of Trent to show both that the agreement is acceptable to Roman Catholics and that the Catholic language is acceptable to Lutherans within the agreement.

The Roman Catholic position has several important things to offer to Lutheran theology. First, it precludes any engagement with the Christian life that does not

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[33] JDDJ §30.

continually ask about growth into God's desire for us. Second, because the sacraments

are central, it provides a description of the Christian life that is fundamentally rooted in

the church as Christ's body, disallowing the cultural tendencies towards individualism

that the contemporary church must resist.

Lutheran (§29)

The Lutheran paragraph of section 4.4 similarly narrates the agreement in its own

historical language. In this case, it is of course, *simul iustus et peccator*. As noted in

chapter five, both the explicit language of *totus-totus* and a description of the *partim-*

partim aspect are present.[34] The Christian is both already inhabiting an accomplished

state of justification and is in the process of being made righteous by Christ's work in

her.

> Lutherans understand this condition of the Christian as a being "at the same time
> righteous and sinner." Believers are totally righteous, in that God forgives their
> sins through Word and Sacrament and grants the righteousness of Christ which
> they appropriate in faith. In Christ, they are made just before God. Looking at
> themselves through the law, however, they recognize that they remain also totally
> sinners. Sin still lives in them (1 Jn 1:8; Rom 7:17,20), for they repeatedly turn to
> false gods and do not love God with that undivided love which God requires as
> their Creator (Deut 6:5; *Mt* 22:36-40 pr.). This contradiction to God is as such
> truly sin. Nevertheless, the enslaving power of sin is broken on the basis of the
> merit of Christ. It no longer is a sin that "rules" the Christian for it is itself "ruled"
> by Christ with whom the justified are bound in faith. In this life, then, Christians
> can in part lead a just life. Despite sin, the Christian is no longer separated from
> God, because in the daily return to baptism, the person who has been born anew
> by baptism and the Holy Spirit has this sin forgiven. Thus this sin no longer
> brings damnation and eternal death. Thus, when Lutherans say that justified
> persons are also sinners and that their opposition to God is truly sin, they do not
> deny that, despite this sin, they are not separated from God and that this sin is a

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[34] See p. 293.

"ruled" sin. In these affirmations, they are in agreement with Roman Catholics,
despite the difference in understanding sin in the justified.[35]

The particular concerns of Catholics about the expression are also answered in this paragraph. The *simul* should not be taken to mean that the Christian is a sinner in the sense that she is separated from God, or in the sense that the sin within her is unruled.

There is still quite a bit of room within this paragraph for different understandings of how these two aspects of God's salvation of sinners are related to each other. This is important given the breadth of contemporary Lutheran opinion on how to relate justification and sanctification to each other. It does preclude some positions. Lutheranisms that would totalize the description of the Christian as a sinner in this world, and push off any real renovation of the self until the resurrection are proscribed. Justification must have real effects in the world. This idea is clearly present in Luther and in the confessions, despite the wariness of the Formula of Concord about confusing justification and sanctification. In this, the JDDJ is in continuity with historical Lutheran commitments.

Perhaps the most important Lutheran contributions to the common understanding are: first, the refusal to underestimate the power of sin; second, the way in which the Lutheran blend keeps Christ's action in the Christian always at the center of attention. These are real gifts that Catholics can receive through the dialogues. While a sense of the danger of sin is found in Catholic authors and they affirm Christ's centrality to justification, the particular gift that the Lutheran model gives is its manner of binding these two together so closely. The saints can confess their sins in confidence, precisely

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[35] JDDJ §29.

because their salvation is an undeserved gift and because it is Christ who is rooting sin out of the secret corners in which it hides.

Consensus: Common Paragraph (§28)

The consensus paragraph of section 4.4 consists of four sentences that begin with the confidence in God's gift of salvation in baptism, followed by three sentences describing to the ongoing need for grace, the danger of sin, and the call to conversion and penance.

> We confess together that in baptism the Holy Spirit unites one with Christ, justifies, and truly renews the person. But the justified must all through life constantly look to God's unconditional justifying grace. They also are continuously exposed to the power of sin still pressing its attacks (cf. Rom 6:12-14) and are not exempt from a lifelong struggle against the contradiction to God within the selfish desires of the old Adam (cf. Gal 5:16; Rom 7:7-10). The justified also must ask God daily for forgiveness as in the Lord's Prayer (Mt. 6:12; 1 Jn1:9), are ever again called to conversion and penance, and are ever again granted forgiveness.[36]

The first sentence contains the JDDJ's new framing. Justification is union with Christ that is forgiveness of sins and making righteous (here, true renewal). This insistence is rooted in the previous sections detailing the human inability to merit justification (4.1), the connection of forgiveness and renovation of life (4.2), and justification by faith through grace (4.3). It is developed further in the following sections relating to the law and gospel (4.5), the assurance of salvation (4.6), and the good works of the justified (4.7). All of these work together to define the consensus recognized over years of bilateral dialogues.

Section 4.4 has the particular work of describing what I have been calling the eschatological tension inherent in the anthropology of the justified Christian. The

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[36] JDDJ §28.

addition of the first sentence to the paragraph in the final version makes this even

clearer.[37] Framing the paragraph in this way demonstrates that Christians cannot properly

talk about the sin within themselves without also pointing to the already-present reality of

their justification. The Christian already participates in her final justification, and in that

justification she is able to head towards what God desires her to be in Christ, although it

will not be accomplished before the fullness of the Kingdom is reached. Describing the

double-vision built into the structure of Christian thought requires Christians to produce

sophisticated double-scope blends. Within any particular Christian way of speaking, these

blends describe the complexities of Christian life without having to be continually

rebalancing one's elocutions by referring in circles to languages of state and trajectory.

They thus make the complexity of the blend implicit, allowing more elegant habitual

speech. Within the contested space of the dialogue, however, it is important to make

explicit what is implicit, and this is clearly done in this paragraph, especially as it is

contextualized in the JDDJ.

Summary and Prospects for Future Research

The Lutheran–Roman Catholic agreement on justification in the Joint Declaration

on the Doctrine of Justification is complex, balancing a large number of concerns in a

few paragraphs. The critiques levied against it were of two major types, some relating to

particular aspects of its content and others more generally to its representing a

differentiated consensus, or "doctrinal reconciliation without capitulation."[38] The idea

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[37] See p. 293 above.

[38] Lindbeck, *Nature of Doctrine,* 17.

that historically-opposed convictions could be discovered to constitute a greater agreement is difficult to imagine within a conventional view of how human language bears meaning. The experience of finding in the other a Christianity that is not opposed to one's own despite one's prior expectations can be explained within an understanding of theological language enriched by the insights of cognitive linguists.

Theological language, like all language, is progressively developed through a process of relating different neural networks. These networks have their most basic roots in processes of the human body: bodily movement, sense data, and our experience of our own thought. From these basic building blocks, quite complex concepts are progressively built up by combining different networks in a variety of manners. These networks usually remain hidden to even exceedingly proficient speakers. Attention to them becomes helpful when different theological dialects are found to be in conflict. Sometimes these are discovered to be real conflicts. Sometimes, however, the conflicts are only apparent because different metaphorical structures within each tradition force or preclude particular patterns of speech. In these cases, careful attention to the metaphorical construction of that tradition's habitual language can be helpful in clarifying the consensus that has been recognized in bilateral dialogue.

In this project, I examined one important example within the Joint Declaration to do precisely this. The example in question was the complex description of the remaining anti-divine tendencies still present in the baptized. Because Christian justification is at once an already-achieved state and an ongoing trajectory, naming this reality requires subtlety. Lutheran and Roman Catholic methods of doing so seem to be in contradiction with one another, but this turns out to be an apparent contradiction related to the

particular cognitive blends for SIN that each habitually uses and the kind of framing that that blend is given.

This type of research will continue to provide areas for investigation, both within the JDDJ and in its successor documents. One example would be the fraught question of the centrality of justification to theology. The JDDJ proclaimed:

> Therefore the doctrine of justification, which takes up this message and explicates it, is more than just one part of Christian doctrine. It stands in an essential relation to all truths of faith, which are to be seen as internally related to each other. It is an indispensable criterion which constantly serves to orient all the teaching and practice of our churches to Christ. When Lutherans emphasize the unique significance of this criterion, they do not deny the interrelation and significance of all truths of faith. When Catholics see themselves as bound by several criteria, they do not deny the special function of the message of justification. Lutherans and Catholics share the goal of confessing Christ in all things, who alone is to be trusted above all things as the one Mediator (1 *Tim* 2:5f) through whom God in the Holy Spirit gives himself and pours out his renewing gifts. [cf. Sources for section 3].[39]

Many of the negative Lutheran responses to the JDDJ insist that this is not a strong enough description of the place of justification within Christian theology.[40] Engaging the understanding of how justification operates as a criterion within historical Lutheran theologies could be helpful not only to the reception of the JDDJ, but to a variety of related questions in the ongoing dialogue.

The application of cognitive linguistic insight into meaning may also prove helpful to the dialogues themselves as they seek to tease apart the tangles of historical polemics. One area in which such an inquiry could be fruitful is the ongoing conversation regarding what constitutes a "church," properly speaking. Some work on metaphoric

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[39] JDDJ §18.

[40] Examples include: the responses of the Churches of Baden (GER-DER C.33), §B.3; Lippe (GER-DER C.43) §4; Denmark (GER-DER C.6), ¶4; SELK "Stellungsnahme," Summary §10; LC–MS, *Confessional Lutheran Perspective,* "Fort Wayne," §§3, 5, 6; "St. Louis," 44.

understandings of the church has already been done.[41] The recurring difficulty that the ecumenical discussions experience related to ecclesiology, particularly as related to the sacrament of order, shows this to be an area in which new directions should be tried. Understandings of what makes the sacrament valid and how this relates to ecclesiality could benefit from careful investigation beginning with the cognitive blends for validity, sacramentality, and the church itself.

I would venture to guess, however, that the primary use of investigations into cognitive blending will be in explaining the differentiated consensuses that arise out of bilateral ecumenical dialogues. There are many Christians who are not deeply familiar with either the theological language used by Christians of different traditions, or that of the dialogues. If attention to cognitive blending can make the differentiated consensuses that arise in bilateral dialogue more available to such Christians, it will foster reception of the dialogues' conclusions among the churches. This will be a great service to the cause of unity.

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[41] Herwi Rikhof, *The Concept of Church: A Methodological Inquiry into the Use of Metaphors in Ecclesiology*, (London: Sheed and Ward, 1981). Of course, Dulles' famous *Models of the Church* also applies metaphorical understandings to ecclesiology, although in a very different mode. *Models of the Church*, (Garden City, N.Y.: Doubleday, 1974).

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